HC-KAR
NC: 2026:KHC:61854
CP No. 218 of 2026
CNR: KAHC010458562026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CIVIL PETITION NO. 218 OF 2026

BETWEEN:

MRS. CHANDANA
W/O SANTOSH KUMAR PATIL,
AGED ABOUT 36 YEARS,
RESIDING AT 'HETTODALU NIVASA',
BEERESHWARA NAGAR, 1ST MAIN,
3RD CROSS, RANEBENNUR - 581 115,
ALSO AT HOSALLI VILLAGE, GADAGA
TQ AND DISTRICT - 582 209.

...PETITIONER

(BY MS. JACKLENE MASCARENHAS, ADVOCATE FOR
MS. SUKRUTA R, ADVOCATE)

AND:

Digitally signed by ASHWINI MAYAPPA MAVARAKAR
Location: High Court of Karnataka

SHRI. SANTOSH KUMAR PATIL
AGED ABOUT 45 YEARS,
RESIDING AT "HETTODALU NIVASA",
1ST MAIN, 3RD CROSS,
BEERESHWARA NAGAR,
RANEBENNUR - 581 115.

...RESPONDENT

(BY SRI. SHRUTHI S.P, ADVOCATE)

THIS CP IS FILED U/S. 24 OF CPC PRAYING TO PASS AN ORDER TRANSFERRING MC NO. 225/2026 PENDING ON THE

FILE OF HONBLE FAMILY COURT, DAVANAGERE TO THE HONBLE PRINCIPAL SENIOR CIVIL JUDGE AND JMFC, RANEBENNUR.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Seeking for transfer of proceedings in M.C.no.225/2026 presently pending on file of Family Court, Davangere to Court of Prl. Senior Civil Judge and JMFC, Ranebennur, this petition is filed.

2. Smt.Jacklene Mascarenhas, learned counsel appearing for Ms.Sukruta R., Advocate for petitioner would submit that marriage of petitioner and respondent was solemnized at Harihar on 21.05.2010 and thereafter they led marital life at Kotihal village, Ranebennur, in course of which three children were born. Due to subsequent matrimonial discord, petitioner was constrained to go to her parents house at Gadag. In meanwhile, respondent had filed M.C.no.225/2026 before Family Court at Davangere under Section 10 of Hindu Marriage Act, 1955 (***Act***) for judicial separation. It was

submitted that petitioner was presently residing at Ranebennur. Even respondent was a resident of Ranebennur. There was no justification for filing petition at Davangere. It was also submitted that petitioner had filed Crl.Misc.no.462/2026 before Prl. Civil Judge and JMFC, Ranebennur, under Section 12 of Protection of Women from Domestic Violence Act, 2005 (***DV Act***), and therefore, not only for consolidation of proceedings between parties at one place, but also on ground that both parties were residing at Ranebennur, transfer was sought.

3. Smt.Shruthi S.P., learned counsel for respondent opposes petition. It was submitted that distance between Ranebennur and Davangere was about 50 kms. and petition was filed at Davangere, since marriage was solemnized at Davangere and parties had led marital life for some time at Kotihal, which would fall within jurisdiction of Court at Davangere.

4. In reply, learned counsel for petitioner would submit that for last more than six years respondent was residing at Ranebennur.

5. Heard learned counsel, perused petition and material on record.

6. This petition is by wife for transfer of matrimonial proceedings from Davangere to Ranebennur. Main ground for transfer of proceedings is not only hardship, but also for consolidation of proceedings. Yet another ground urged is that both petitioner and respondent are residing at Ranebennur.

7. Hon'ble Supreme Court has time and again in cases of **Sumita Singh v. Kumar Sanjay & Anr.**, reported in **(2001) 10 SCC 41**; **Rajani Kishor Pradeshi v. Kishor Babulal Pardeshi**, reported in **(2005) 12 SCC 237** and **NCV Aishwarya v. AS Saravana Karthik Sha**, reported in **(2022) SCC OnLine SC 1199**, has held that while considering petition for transfer of matrimonial proceedings, convenience of wife would be of paramount consideration.

8. Apart from above, in instant case, fact that both petitioner and respondent are residing at Ranebennur and wife has filed petition under DV Act, which is pending before Court at Ranebennur would weigh in favour of petitioner.

9. In view of above, petition is ***allowed***, proceedings in M.C.no.225/2026 presently pending on file of Family Court, Davangere, stands withdrawn and transferred to Court of Prl. Senior Civil Judge and JMFC, Ranebennur to be tried along with Crl.Misc.no.462/2026.

Since both parties are represented, they are directed to appear in these proceedings on **02.12.2026** without need for any notice. Transferee Court shall from said date proceed in these matters along with Crl.Misc.no.462/2026.

Undertaking of both parties to co-operate for early conclusion of proceedings is recorded.

Registry is directed to communicate this order to transferee Court for transmission of records within time indicated.

Sd/-
(RAVI V HOSMANI)
JUDGE

HNM
List No.: 1 Sl No.: 28