HC-KAR
NC: 2026:KHC:64594
CP No. 282 of 2026
CNR: KAHC010569032026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CIVIL PETITION NO. 282 OF 2026

BETWEEN:

SMT. SHALINI H.S.
W/O SRI DHARSHAN B.
AGED ABOUT 26 YEARS
C/O SATHISH H.M.
R/OF HUNASEKOPPA
KARKERSHWARA, MELPAL POST
NARASIMHARAJAPURA TALUK
CHIKKAMAGALURU – 577 112.

…PETITIONER

(BY SRI PRADEEP NAIK K., ADVOCATE)

Digitally signed by G SHREERAKSHA
Location: HIGH COURT OF KARNATAKA

AND:

SRI DHARSHAN B.
S/O SRI BORALINGAIAH
AGED ABOUT 30 YEARS
R/O. THIPPURU VILLAGE
ATHAGOOR HOBLI
MADDUR TALUK
MANDIYA – 571 433.

…RESPONDENT

(RESPONDENT SERVED AND UNREPRESENTED)

CNR: KAHC010569032026

THIS CP IS FILED UNDER SEC.24 OF CPC PRAYING TO DIRECT TO WITHDRAW MC NO.20/2026 FILED BY THE RESPONDENT, WHICH IS PENDING BEFORE THE SENIOR CIVIL JUDGE AT MADDUR AND TRANSFER THE SAME TO THE CIVIL JUDGE AND JMFC, COURT AT NARASIMHARAJAPURA IN CHIKKAMAGALURU DISTRICT, WHERE THE CRI.MISC NO.88/2025 IS PENDING, WHICH IS FILED BY THE PETITIONER AND HER MINOR SON UNDER DV ACT IS PENDING AND MAY DIRECT THE HON'BLE CIVIL JUDGE AND JMFC, AT NARASIMHARAJAPURA i.e., TRANSFEREE COURT TO CLUB AND DISPOSE OF ABOVE SAID TWO CASES BY A COMMON JUDGMENT.

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 MC No.20/2026 which is pending before Senior Civil Judge at Maddur to Senior Civil Judge and JMFC, Narasimharajapura in Chikkamagaluru District, this petition is filed.

2. Sri K Pradeep Naik, learned counsel for petitioner submitted that marriage of petitioner and respondent was solemnized on 27.03.2022 at Hunasekoppa in Chikkamagaluru District. Thereafter,

parties led matrimonial life at Maddur, in course of which a child was born on 05.11.2024. Due to subsequent matrimonial discord, petitioner was constrained to go back to her parents at Chikkamagaluru. While she was without any maintenance and had filed Crl.Misc.No.88/2025 under provisions of Protection of Women from Domestic Violence Act, 2005 ('*D.V.Act*' for short) and same was pending before Civil Judge and JMFC, Narasimharajapura. Respondent had filed MC No.20/2026 before Senior Civil Judge at Maddur.

3. Apart from inconvenience of travel, petitioner was required to take care of travel due to distance being at 350 kilometers, petitioner was required to attend to child and even for purpose of consolidation of proceedings between parties at one place, petition was required to be allowed. On said grounds sought for allowing petition.

4. Respondent is served, but unrepresented. No objections are filed.

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

6. This petition is filed by wife for transfer of matrimonial proceedings from Court at Maddur to Court at Chikkamagaluru. In following decisions, Hon'ble Supreme Court has held that while considering petition for transfer of matrimonial proceedings, convenience of wife would be of paramount consideration:-

i. Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi, reported in (2005)12 SCC 237;

ii. Sumita Singh v. Kumar Sanjay & Another reported in (2001)10 SCC 41; and

iii. N.C.V.Aishwarya v. A.S. Saravana Karthik Sha, reported in 2022 SCC OnLine SC 1199.

7. Apart from same, distance between Maddur and Narasimharajapura being 350 kilometers, petitioner having child and respondent is contesting proceedings under DV Act in Court at Narasimharajapura would weigh in favour of petitioner.

8. Hence, petition is ***allowed***. Proceedings in MC no.20/2026 stand withdrawn from Senior Civil Judge at Maddur and transferred to Court of Senior Civil Judge and JMFC at Narasimharajapura. To mitigate hardship to respondent, undertaking of petitioner to co-operate for early conclusion of proceedings is recorded.

Sd/-
(RAVI V HOSMANI)
JUDGE

GSR
List No.: 1 Sl No.: 28