



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

CIVIL PETITION NO. 67 OF 2026

BETWEEN:

SAVITHA R,
W/O RAJAPPA H.
D/O LATE RAJANNA,
AGED ABOUT 33 YEARS,
R/AT C/O NETRAVATHI,
W/O MANJUNATH,
NEAR CHOWDAMMA TEMPLE,
7TH CROSS, BAPUJI NAGAR,
SHIVAMOGGA CITY.

ALSO,
R/AT GANGAMMA TEMPLE ROAD,
SMALL SITE, HOSABADAVANE,
CHIKKAMAGALURU DISTRICT -
KASABA HOBLI,
TARIKERE TALUK,
CHIKKAMAGALURU DISTRICT.

Digitally signed
by
PADMASHREE
SHEKHAR DESAI
Location: High
Court of
Karnataka

...PETITIONER

(BY SRI. ASHWATH C.M., ADVOCATE)

AND:

RAJAPPA H,
S/O HANUMANTHAPPA G.M.
AGED ABOUT 37 YEARS,
BEML WORKER,



R/AT LAKKENAHALLI VILLAGE,
AMRUTHAPURA HOBLI,
TARIKERE TALUK.

...RESPONDENT

(RESPONDENT SERVED)

THIS CP FILED U/S. 24 OF CPC PRAYING TO TRANSFER THE PETITION FILED BY THE RESPONDENT AGAINST THE PETITIONER IN MC 92/25 PENDING BEFORE THE HONBLE SENIOR CIVIL JUDGE AND JMFC AT TARIKERE TO HONBLE PRINCIPAL JUDGE, FAMILY COURT, AT SHIVAMOGGA IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL ORDER

This civil petition is filed by the wife for transfer of M.C.No.92/2025, filed by the husband for restitution of Conjugal Rights, from the Senior Civil Judge and JMFC at Tarikere, to the Court of Principal Judge, Family Court, Shivamogga.

2. It is stated that the petitioner's marriage with the respondent was solemnized on 17.11.2019 and they have a male child born in the year 2020, who is presently aged about



5 years. It is further stated that respondent is working as Fitter at BEML Ltd, at Gujarat and he is not residing within the jurisdiction of Tarikere. The petitioner filed C.C.No.928/2025 for offences punishable under Section 498-A, 323, 504, 506, 34 of Indian Penal Code and Section 3 and 4 of Dowry Prohibition Act pending before the JMFC-II Court at Shivamogga. As a counter blast he filed M.C.No.92/2025 for restitution of conjugal rights at Tarikere, though he is not residing there, only to trouble the petitioner. The petitioner also filed Crl.Misc.No.239/2025 under section 125 of Cr.P.C. for maintenance, in which he was directed to pay monthly maintenance of Rs.10,000/- towards ad-interim maintenance to the petitioner from the date of Order i.e. from 05.2.2025. It is stated that so far he has not paid any maintenance.

3. In spite of service of notice, the respondent did not turn up.

4. Heard the arguments of the learned counsel for the petitioner and considering the reasons stated by the petitioner that the distance between the Tarikere and Shivamogga is about 40 Kilometer and it is inconvenient to



the petitioner to travel along with her minor child to Tarikere and moreover the respondent is also not residing in Tarikere, this Court finds it reasonable to transfer M.C.No.92/2025, from the Senior Civil Judge and JMFC at Tarikere, to the Court of Principal Judge, Family Court, Shivamogga.

Accordingly, the petition is **allowed**.

In view of the disposal of the main petition, I.A.No.1/2026 for stay is closed.

Sd/-
(P SREE SUDHA)
JUDGE