



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

CIVIL PETITION NO. 432 OF 2025

BETWEEN:

SMT SOUNDARYA C S
AGED ABOUT 26 YEARS,
W/O. ABHILASH V.S.
PERMANENTLY RESIDING
AT 'PRIYA' NO. 29, 1ST CROSS,
BESIDES ANIKETHANA SCHOOL,
BASAVANAGUDI,
SHIVAMOGGA-5772001.

...PETITIONER

Digitally signed
by PADMA SHREE
SHEKHAR DESAI

Location: High
Court of
Karnataka

(BY SRI. K.N.MAHABALESHWARA RAO.,ADVOCATE)

AND:

SRI ABHILASH V N
AGED ABOUT 30 YEARS,
S/O. NARAYANASWAMY B
BUSINESSMAN RESIDING AT
NO. 268, 2ND MAIN 1ST CROSS,
MES RING ROAD,



BAHUBALI NAGAR,
JALAHALLI,
BANGALORE NORTH,
PIN -560013.

...RESPONDENT

(BY SRI. BEERESHA H S.,ADVOCATE)

THIS CIVIL PETITION IS FILED UNDER SECTION 24 OF THE CODE OF CIVIL PROCEDURE PRAYING TO TRANSFER THE MC NO.5979/2025 PENDING BEFORE PRINCIPAL JUDGE, FAMILY COURT, BENGALURU TO PRL. FAMILY COURT, SHIVAMOGGA TO TAKE UP ALONG WITH MC NO.369/2025 PENDING BEFORE THE HONBLR PRL. FAMILY COURT AT SHIVAMOGGA.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA



ORAL ORDER

Heard the arguments of learned counsel for the petitioner and learned counsel for the respondent.

2. This civil petition is filed by the wife for transfer of M.C.No.5979/2025, filed by the husband for restitution of conjugal rights, from Principal Judge, Family Court, Bengaluru to Principal Family Court, Shivamogga as she is residing in Shivamogga along with her parents.

3. It is stated that their marriage was performed on 02.02.2025 and she filed MC No.369/2025 on 14.10.2025 for divorce before the Principal Judge, Family Court, Shivamogga and she filed divorce petition after filing the petition for restitution of conjugal rights filed by her husband and she also filed CrI.Misc.No.600/2025 under Section 12 of the Protection of Women from Domestic Violence Act and it is further stated that a criminal complaint is also registered against her husband in Crime No.61/2025 by P.I. North Women Police Station,



Bengaluru on 19.06.2025. It is stated that the respondent is also residing in Bangalore and the respondent stated that petitioner is also working in Bangalore but the learned counsel for the petitioner stated that the petitioner is working from home. It is her contention that she has life threat to attend the Court before Bangalore. Therefore, she requested for transfer.

4. The distance between Shivamogga and Bangalore is 308 kilometers. Learned counsel for the respondent stated that respondent is not working. Therefore, this Court finds that it is just and reasonable to transfer the petition in M.C.No.5979/2025 filed by husband for restitution of conjugal rights before the Principal Judge, Family Court, Bangalore to the Principal Family Court, Shivamogga to try along with MC No.369/2025 filed for divorce and to avoid conflicts of decisions and dispose both the matters at a time.



5. The Family Court is specifically directed not to insist on the personal presence of the respondent unless there is any specific requirement. He is at liberty to file his chief affidavit and he can be cross-examined through a Commissioner or by way of video conferencing facility.

With these observations, the Civil Petition is ***allowed.***

In view of the disposal of the main petition, the interlocutory application, for stay is closed.

SD/-
(P SREE SUDHA)
JUDGE

SA