



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. 435 OF 2025

BETWEEN:

SRI. DEEPAK GANACHARI
S/O. DANNAYYA GANACHARI,
AGED ABOUT 36 YEARS,
R/O. PARVATHI NILAYA,
OPP. GANESH KATTE,
NEAR ERAPPA TEA STALL,
1ST CROSS, VIVEKANANDA NAGAR,
GADAG-582 102.

...PETITIONER

(BY SRI. PRAKASH K.,ADVOCATE)

AND:

SMT. SUMALATHA TADAKAL
W/O. DEEPAK GANACHARI,
D/O. T. CHAMARAJ @ CHAMARAS SWAMY,
AGED ABOUT 33 YEARS,
R/O. HOUSE NO. 6-1-2796,
PARVATI SADAN,
BEHIND PATANJALI STORES,
NEAR BASAVA CIRCLE,
ADARSHA COLONY, WARD NO. 16,
SINDHANUR,

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



RAICHUR DISTRICT-584 128.

AND ALSO R/AT NO. 2ND FLOOR,
HOUSE AT NO. 564, 52ND CROSS
3RD BLOCK , RAJAJINAGAR
BENGALURU - 560 110.

...RESPONDENT

(BY SRI. THAMMAIAH B G., AND

SMT.T. SHWETHA., ADVOCATES FOR RESPONDENT (ABSENT))

THIS CP IS FILED U/S. 24 OF CPC 1908, PRAYING TO
CALL FOR RECORDS PERTAINING TO THE CASE MC. NO.
2237/2025 PENDING BEFORE THE VI ADDITIONAL PRINCIPAL
JUDGE FAMILY COURT, BENGALURU AND TO PASS AN ORDER
TRANSFERRING M.C. NO. 2237/2025 FROM VI ADDITIONAL
PRINCIPAL JUDGE, FAMILY COURT, BENGALURU VIDE
ANNEXURE C TO SENIOR CIVIL JUDGE AND JMFC, SINDHANUR
TO BE TRIED ALONGWITH M.C. NO. 66/2025 VIDE ANNEXURE
A AND TO DISPOSE OF THE MATTER IN ACCORDANCE WITH
LAW.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA



ORAL ORDER

Learned counsel for the petitioner is present and learned counsel for the respondent is absent.

2. Heard the arguments of learned counsel for the petitioner.

3. This civil petition is filed by the wife for transfer of M.C.No.2237/2025, filed by the wife for divorce, from VI Additional Principal Judge, Family Court, Bangalore to Senior Civil Judge and JMFC, Sindhanur.

4. It is stated that the petitioner also filed MC No.66/2025 for restitution of conjugal rights after filing of the divorce on 16.06.2025. In fact he filed application in Sindhanur where the wife is residing with her parents and he is residing in Gadag. It is stated that both of them are not residing in Bangalore. The distance between Gadag and Sindhanur is 160 kilometres and the distance between Bangalore and Sindhanur is 450 km.



5. The respondent filed objection stating that she has taken admission for B.Ed in Sindhanur college as a first year student for the academic year 2025-26. She has produced her Adhaar Card in which her residence is shown as Sindhanur, Raichur District. It is stated that the petitioner changed his job from Tech Mahindra to HCL and came to Bangalore and left the respondent in her matrimonial home for six months and there she stayed with her in laws. It is stated that the respondent is a permanent resident of Gadag and not Sindhanur, Raichur District. She stated that she is visiting her native place only to attend the exams and not permanently residing with her parents and she is residing in Bangalore to pursue her additional courses. It is stated that the petitioner filed petition for conjugal rights in her native place at Gadag to defame her family. The wife who is residing in Bangalore to pursue her higher studies has filed petition in Bangalore. She admitted that her parents are residing in Sindhanur and she has objection to transfer the petition



from Bangalore to Sindhanur. Her contention cannot be accepted.

6. Admittedly, both the petitions filed for divorce and restitution of conjugal rights have to be filed together before the same Court to avoid conflict in decisions. Therefore, this Court finds that it is just and reasonable to transfer the petition in M.C.No.2237/2025 filed by wife for divorce before the VI Additional Principal Judge, Family Court, Bangalore to Senior Civil Judge and JMFC, Sindhanur to try along with MC No.66/2025 and dispose both the matters at a time.

7. The Family Court is specifically directed not to insist on the personal appearance of the respondent unless there is any specific requirement to the contra . 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