



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 2ND DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CIVIL PETITION NO.100217 OF 2025

BETWEEN:

SMT. M. ARACHANA
W/O. SRI T. R. S. ABHISHEK,
D/O. MADAGONDA THIPPANNA,
AGE: 27 YEARS, OCC: HOUSE WIFE,
R/O. 2ND STAGE, BRINDAVANA COLONY,
ANANTAPUR ROAD, BALLARI-583101.

...PETITIONER

(BY SRI B. C. JNANAYYA SWAMI, ADVOCATE.)

AND:

SHRI T. R. S. ABHISHEK,
S/O. T. RAJASHEKHAR @ CHANDRASHEKAR,
AGED ABOUT 29 YEARS, OCC: MECHANICAL ENGINEER,
R/O. WARD NO.30, OPPOSITE TO TSP,
INDIRA NAGAR, T. B .DAM, HOSAPETE,
VIJAYANAGAR-583201.

...RESPONDENT

(NOTICE TO RESPONDENT HELD SUFFICIENT)

THIS CIVIL PETITION IS FILED UNDER SECTION 24 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO PASS APPROPRIATE DIRECTION OR ORDER, TO TRANSFER THE PROCEEDINGS IN M.C.NO.94/2025 PENDING ON THE FILE OF LEARNED PRINCIPAL SENIOR CIVIL JUDGE AND JMFC HOSAPETE TO PRINCIPAL JUDGE FAMILY COURT BALLARI, IN THE INTEREST OF JUSTICE AND EQUITY.

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





ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR)

Though the case is listed for orders, with the consent of the learned counsel for the petitioner, it is taken up for final disposal.

2. This petition is filed under Section 24 of the Code of Civil Procedure, 1908¹, praying to transfer the case in M.C.No.94/2025, pending on the file of Principal Senior Civil Judge and JMFC Court, Hosapete, to Principal Judge Family Court, Ballari.

3. Heard the learned counsel appearing for the petitioner and perused the material available on record.

4. The parties to the proceedings do not dispute that the marriage between the petitioner/wife and the respondent/husband was solemnized as per their Hindu customs and rituals on 11.02.2022.

5. The pleading and material available on record indicates that the petitioner/wife has filed Crl.Misc.No.80/2024

¹ For short, 'CPC'



under Section 125 of the Code of Criminal Procedure, 1973², seeking for maintenance, which is pending before the Principal Judge Family Court, Ballari. Similarly, the respondent/husband has filed petition in M.C.No.94/2025 seeking for dissolution of marriage under Section 13[1a][1b] of the Hindu Marriage Act of 1955³, and the said proceeding is pending before the Principal Senior Civil Judge and JMFC Court, Hosapete.

6. The material available on record further indicates that the respondent is a Mechanical Engineer working as a Sales Executive in Otis Elevator Company and is earning a monthly income of Rs.80,000/-. The petitioner is residing with her parents at Ballari and has no independent source of income to travel and to attend the proceedings before the Hosapete Court, where the respondent/husband has initiated proceedings under Section 13[1a][1b] of Act, 1955, seeking dissolution of marriage. It is further stated that the petitioner has one minor girl child; therefore, it is very difficult for her to travel to Hosapete and attend the proceedings before the Hosapete Court.

² Hereinafter referred to as the 'Cr.P.C'

³ Hereinafter referred to as the 'Act of 1955'



7. This Court, taking note of the likely inconvenience to the petitioner and the fact that she has no independent source of income to travel to Hosapete, is of the considered view that it would be just and appropriate to transfer M.C No.94/2025 pending on the file of Principal Senior Civil Judge and JMFC, Hosapete, to the Court of the Principal Judge Family Court, Ballari.

8. Hence, I proceed to pass the following order.

ORDER

- i. The petition is ***allowed***;
- ii. M.C.No.94/2025, pending on the file of Principal Senior Civil Judge and JMFC Court, Hosapete, is transferred to the Court of Principal Judge Family Court, Ballari, for trial in accordance with law.
- iii. No order as to cost.

**Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE**