



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 23RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CIVIL PETITION NO. 100223 OF 2025

BETWEEN:

SMT. SUSHMITA W/O. SANTOSH MADIG,
AGE: 23 YEARS, OCC: NIL,
R/O. SAVADI, TQ. ATHANI,
DIST. BELAGAVI-591240.

...PETITIONER

(BY SRI SHIVRAJ S. BALLOLI, ADVOCATE.)

AND:

SHRI SANTOSH S/O. MAHADEV MADIG,
AGE: 33 YEARS, OCC: BUSINESSMAN,
R/O. HONNIHALLI VILLAGE, TQ. HUKKERI,
DIST. BELAGAVI-591225.

...RESPONDENT

(BY SMT. SHAILA BELLIKATTI, ADVOCATE.)



THIS CIVIL PETITION IS FILED UNDER SECTION 24 OF THE CODE OF CIVIL PROCEDURE, 1908, PRAYING TO ALLOW THE ABOVE CIVIL PETITION AND WITHDRAW THE PROCEEDINGS PENDING IN M.C.NO.40/2025 FROM THE FILE OF THE LEARNED SENIOR CIVIL JUDGE, HUKKERI AND TRANSFER THE SAME TO THE COURT OF LEARNED PRINCIPAL SENIOR CIVIL JUDGE, ATHANI AND ETC.,.

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



ORAL ORDER

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

The petitioner/wife has filed this petition under Section 24 of the Civil Procedure Code, 1908, for seeking transfer of a case in M.C.No.40/2025, pending on the file of Senior Civil Judge, Hukkeri, to the Court of Principal Senior Civil Judge, Athani.

2. The respondent herein being husband of the petitioner has filed petition in M.C.No.40/2025, under Section 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights, before the Senior Civil Judge, Hukkeri.

3. The petitioner is residing at Savadi village in Athani taluka in Belagavi district. She is a homemaker without having any source of income. The respondent/husband is a businessman. Therefore, he is having income. The petitioner being a woman is facing difficulty to travel from Athani to Hukkeri to attend the Court case. Whereas, the respondent/husband is able to



travel from Hukkeri to Athani. Hence, the petition is liable to be allowed. However, if the respondent feels that there is any life threat to his life, then, he is at liberty to file appropriate application before the Court in which the case is transferred, for appropriate orders. Accordingly, I proceed to pass the following:

ORDER

- i) The petition is allowed.
- ii) The case in M.C.No.40/2025, pending on the file of Senior Civil Judge, Hukkeri, is transferred to the Court of Principal Senior Civil Judge, Athani, for disposal in accordance with law.
- iii) If the respondent feels that there is any life threat to his life, then, he is at liberty to file appropriate application before the Court in which the case is transferred, for appropriate orders
- iv) No order as to costs.

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