



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

CIVIL PETITION NO.200001 OF 2026 (RES)

BETWEEN:

SMT. BHAGYASHREE
W/O SACHIN D/O BASAVARAJ,
AGE:33 YEARS, OCC:SOFTWARE
ENGINEER, R/O. H.NO.625,
VRUNDAVANA, 11TH CROSS,
6TH MAIN, NEAR BBMP OFFICE,
BTM LAYOUT, 2ND STAGE,
BENGALURU -560 076.

...PETITIONER

(BY SMT. SHRIDEVI SHARANABASAPPA, ADVOCATE)

AND:

SACHIN S/O SHIVAPUTRAPPA FATTEPUR,
AGE:34 YEARS, OCC:SOFTWARE ENGINEER,
R/O CHANDANKERA, TQ. CHINCHOLI,
DIST. KALABURAGI – 585 313.

...RESPONDENT

(BY SMT. ANITA M. REDDY, ADVOCATE)

THIS CIVIL PETITION IS FILED UNDER SECTION 24
OF C.P.C., PRAYING TO ALLOW THE CIVIL PETITION FILED
BY THE PETITIONER AND TRANSFER THE MC NO.57/2024
FROM SENIOR CIVIL JUDGE AND JMFC AT CHINCHOLI TO



PRINCIPAL JUDGE, FAMILY COURT AT BENGALURU, IN
THE INTEREST OF JUSTICE AND EQUITY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL ORDER

Heard the learned counsel for both the parties.
Perused the relevant materials on record.

2. This petition is filed under Section 24 of the
Code of Civil Procedure, 1908 praying for an order to
transfer the petition in M.C.No.57/2024, pending on the
file of the Senior Civil Judge and JMFC at Chincholi to
the Court of Principal Judge, Family Court at
Bengaluru.

3. The petitioner herein is wife and the
respondent is husband. The aforesaid M.C.No.57/2024
is filed under Section 9 of the Hindu Marriage Act by the



respondent against the petitioner seeking for the relief of restitution of conjugal rights.

4. Learned counsel for the petitioner submits that both the petitioner and respondent are working as Software Engineer at Bengaluru, though they are the resident of Kalaburagi District. Hence, the petitioner has to travel nearly about 600 k.m. from Bengaluru to attend the proceedings in M.C.57/2024 filed by the husband/respondent at Chincholi Court. Therefore, she sought for transfer of the above case to the Family Court at Bengaluru.

5. Learned counsel for the respondent contends that only the convenience of the wife is not a ground to transfer the petition. In support of this contention, she has relied on the decision of this Court in the case of **Sushmitha B.L. Vs. Raghavendra B.R.** reported in **2025 SCC OnLine Kar 2**, wherein the petition filed by the wife is dismissed on the ground that the



inconvenience of the wife cannot a ground to transfer the petition.

6. However, in the case on hand, as per the petition filed by the petitioner/wife, it would be clear that both the petitioner and the respondent are working as Software Engineers in Bengaluru. The petition in M.C.No.57/2024 is filed by the respondent before Senior Civil Judge at Chincholi for the relief of restitution of conjugal rights. Under the circumstances, no inconvenience would be caused to the respondent herein, even if the petition is transferred to the Family Court at Bengaluru, as both the parties are working at Bengaluru. Hence, the contention raised by the learned counsel for the respondent, the reason that the place of residence of the wife is convenient to the wife cannot be a ground to transfer the petition, does not merit consideration on the facts of the case. Hence, in spite of the decision relied on by the counsel for the respondent,



under the circumstances, the petition deserves to be allowed.

7. In the result, the petition filed by the petitioner under Section 24 of CPC is hereby allowed.

8. Consequently, the petition in M.C.No.57/2024 pending on the file of the Senior Civil Judge and JMFC, Chincholi is withdrawn from the said Court and same is transferred to the Court of Principal Judge, Family Court at Bengaluru.

9. Office to intimate this order to the above said both the Courts forthwith accordingly.

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE

BL
List No.: 1 Sl No.: 2
CT: SB