



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 495 OF 2021 (GM-FC)

BETWEEN:

SRI MAYUR B. N.,
SON OF LATE NARAYANASWAMY,
AGE 45 YEARS,
RESIDENT OF NO. 4,
OPPOSITE TO SRI. RAMA TEMPLE,
BIDADI MAIN ROAD,
BIDADI TOWN RAMANAGARA TALUK
RAMANAGARA DISTRICT.

...PETITIONER

(BY SRI. B.V. SHANKARANARAYANA RAO, SR.COUNSEL FOR
SRI. H.K. HONNEGOWDA, ADVOCATE)

AND:

SMT. PADMASHREE B. L.,
D/O LATE LAKSHMINARAYANA B S
AGE 43 YEARS
NO 330 I A CROSS
5TH A MAIN REMCO LAYOUT
VIJAYANAGAR, II STAGE
BENGALURU - 560040.

...RESPONDENT

(BY SRI. MOHAMMED AKRAM, ADVOCATE FOR
SRI. R. KOTHWAL, ADVOCATE)

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS AND QUASH THE ORDER DTD. 16.10.2020 PASSED IN M.C.NO. 5217/2018 PENDING ON THE FILE OF THE HONBLE PRINCIPAL FAMILY JUDGE BENGALURU VIDE ANNEX-A AND CONSEQUENTLY DISMISS I.A.NO.1 IN M.C.NO.5217/18 FILED UNDER SECTION 24 OF HINDU MARRIAGE ACT 1955 READ WITH SECTION 151 OF CPC VIDE ANNEX-D.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN B-GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.B.V.Shankaranarayana Rao, learned Senior Counsel who represents Sri.H.K.Honnegowda, learned counsel on record for the petitioner as well as Sri.Mohammed Akram who represents Sri.R.Kothwal, learned counsel on record for the respondent.

2. Aggrieved by the order that is rendered by the Court of Principal Judge, Family Court, Bengaluru on IA No.I in MC No.5217/2018 dated 16.10.2020 and with a request to quash that order, this writ petition is filed.



3. Learned Senior Counsel who represents the petitioner submits that petitioner is the husband of the respondent. Their marriage was solemnized in the year 2014 and thereafter due to differences that arose between them they are residing separately. Petitioner was on employment for considerable period. But, subsequently he was placed under suspension by his employer. The suspension continued for about one and half years. However, later he was taken into service and as of now he is working. Except through his occupation as Project Manager at M/s.MSE Forwarders India Pvt., Ltd., he has no other source of earnings. Respondent is a practicing advocate. Though her practice is not lucrative, she earns sufficiently through her profession. She need not depend upon the petitioner for her livelihood. However, she moved IA No.I seeking the Family Court to direct the petitioner herein to pay her a sum of Rs.50,000/- towards maintenance and Rs.1,00,000/- towards litigation expenses. None of the parties filed their statement of



assets and liabilities. Family Court through the impugned order directed petitioner to pay respondent a sum of Rs.12,000/- per month towards interim maintenance. Learned counsel contends that petitioner earns not more than Rs.2,00,000/- per annum and therefore, he cannot pay a sum of Rs.1,44,000/- per annum i.e. Rs.12,000/- per month towards maintenance of the respondent.

4. On the other hand, learned counsel who represents the respondent states that respondent is suffering from different health issues and therefore, she is not attending the Court. She has no source of earnings whatsoever. Petitioner apart from attending his job, is also looking after the theatre which he owns and thus he gets income through maintenance of the said theatre. Learned counsel contends that Family Court taking into consideration all the factual aspects, awarded proper amount towards interim maintenance and therefore, the writ petition is not maintainable.



5. No material is on record to establish in clear terms that petitioner owns a cinema theatre and earns through it. Likewise, there is no material on record to show that respondent suffers with such health issues which prevents her from attending the Court and practicing as an advocate. Particulars regarding the income tax returns produced by the respondent herein in respect of the petitioner is discussed at paragraph No.18 of the impugned order. As per those documents, the income of the petitioner for the assessment year 2013-2014 is Rs.1,71,570/-, for the assessment year 2015-16 it is Rs.85,000/-. The gross income for the assessment year 2016-2017 is Rs.2,82,924/-.

6. Taking into consideration these facts, this Court is of the view that it will be wholly justifiable if petitioner is ordered to pay respondent a sum of Rs.9,000/- per month towards interim maintenance. Therefore, this writ petition is disposed of with the following:



ORDER

- (i) The order rendered by the Court of Principal Judge, Family Court, Bengaluru on IA No.I in MC No.5217/2018 dated 16.10.2020 is modified.
- (ii) Petitioner is directed to pay respondent a sum of Rs.9,000/- per month towards interim maintenance from the date of filing of IA No.I till the disposal of MC No.5217/2018 or until further orders by the Family Court, Bengaluru.
- (iii) All arrears at the rate mentioned above shall be cleared within a period of 8 weeks.

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**