



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO.69 OF 2020

BETWEEN:

SMT. VIDYALAKSHMI J.,
W/O. MAHADEVA M.,
D/O JAVAREGOWDA,
AGED ABOUT 27 YEARS,
R/AT 168, SRIRAMPURA,
MANANDAVADI ROAD,
MYSURU-570 001.

...PETITIONER

(BY SRI. KESHAVA CHANDRA S.P., ADVOCATE FOR
SRI. H.C. SHIVARAMU, ADVOCATE)

AND:

Digitally signed
by LUCYGRACE
Location: HIGH
COURT OF
KARNATAKA

SRI MAHADEVA M.,
S/O CHIKKAHYDEGOWDA,
@ MADEGOWDA,
AGED ABOUT 34 YEARS,
R/AT KELLAHALLI VILLAGE,
MYSURU TALUK,
MYSURU-570001.

...RESPONDENT

(BY SMT. MOHANA KUMARI B.V., ADVOCATE FOR
SRI. ABUBACKER SHAFI, ADVOCATE)

THIS RPFC FILED UNDER SEC. 19(4) FAMILY COURTS
ACT., AGAINST THE JUDGMENT AND DECREE DATED



26.08.2019 PASSED IN C.MIS.NO. 718/2018 ON THE FILE OF THE III ADDITIONAL PRINCIPAL FAMILY COURT JUDGE, MYSURU, PARTLY ALLOWING THE PETITION FILED UNDER SEC. 125 OF CR.PC., FOR MAINTENANCE.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.Keshavachandra.S.P who represents Sri.H.C.Sivaramu learned counsel on record for the petitioner as well as Ms.Mohana Kumari who represents Sri.Abubacker Shafi learned counsel on record for the respondent.

2. Challenging the order that is rendered by the Court of III Additional Principal Judge, Family Court, Mysuru in C.Misc.No.718/2018 dated 26.08.2019, this revision petition is filed. Petitioner and the child born out of lawful wedlock filed a petition against respondent herein under Section 125 Cr.P.C. seeking maintenance. Family Court through the impugned order directed respondent herein to pay the child a sum of Rs.5,000/- per month



towards maintenance. The request of petitioner herein for maintenance was disallowed and aggrieved by the same, this revision petition is filed.

3. Learned counsel for the petitioner submits that respondent being the husband of petitioner is liable to maintain petitioner. Petitioner is residing at her parents house and she has no source of earnings. Respondent neglected and refused to maintain petitioner. Therefore, petitioner filed a petition seeking maintenance of Rs.20,000/- per month. However, without valid reasons family Court dismissed the petition filed by her. Learned counsel thereby seeks to set aside the impugned order and to grant maintenance to petitioner to the extent sought for.

4. Opposing the submission thus made, learned counsel for the respondent states that petitioner left the matrimonial home without any cause. She deserted respondent. Respondent made several attempts to



convince petitioner to join him. But petitioner bluntly refused. Respondent filed a petition under Section 9 of the Hindu Marriage Act seeking restitution of conjugal rights. That petition was allowed and a direction was issued to petitioner to join respondent. However, petitioner failed to comply the said order. Petitioner on the other hand filed a petition seeking decree of divorce. The said petition was dismissed. As petitioner left the matrimonial home without any reasonable cause and as petitioner did not join respondent despite respondent visiting the parental house of petitioner several times and requesting her to join him and as petitioner has not even obliged the order of the Court directing her to join respondent, hence, petitioner is not entitled for any maintenance.

5. As per the version of petitioner, respondent subjected her to cruelty. Except examining herself as PW1, as rightly observed by the Family Court, petitioner did not choose to produce any evidence either oral or documentary to substantiate her version that she was



subjected to cruelty by respondent. The documents produced by petitioner herself i.e., Exs.P10 and P11 reveals that respondent visited the parental house of petitioner for the purpose of seeing the child. There is no denial of the fact that petition filed by petitioner for grant of divorce was dismissed. Likewise, there is no denial of the fact that petition filed by respondent for restitution of conjugal rights was allowed, but petitioner has not joined respondent. Burden vests upon petitioner to establish that respondent has neglected or refused to maintain her. As per the version of respondent, petitioner went to her parental house for Ganesha festival and did not return thereafter. Petitioner who examined herself as PW1 admitted during the course of cross-examination that she has not returned to her matrimonial home after Ganesha festival. No reasonable cause is shown by petitioner for leaving her marital home and for staying at her parents house. Petitioner thus failed to establish that due to reasonable cause she has withdrawn from the society of



respondent. Also, petitioner failed to establish that respondent refused or neglected to maintain her. Discussing the facts of the case at length and evaluating the evidence brought on record, Family Court came to a just conclusion that petitioner is not entitled for maintenance. This Court does not find any grounds for interference. Therefore, this Court ultimately holds that the revision petition lacks merits.

Resultantly, the revision petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 1