

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO.4087 OF 2026 (GM-FC)

C/W

WRIT PETITION NO.5393 OF 2026 (GM-FC)

IN WP No.4087/2026

BETWEEN:

KARAN CHANDRASHEKAR
AGED ABOUT 38 YEARS
S/O A CHANDRASHEKAR
R/O UNIT K5, NO.480,
13TH MAIN, 3RD BLOCK,
KORAMANGALA,
BENGALURU,
KARNATAKA - 560 034.

...PETITIONER

(BY SRI.K.B.S MANIAN, ADVOCATE A/W
SRI. AZHAR ALI FAROOQI.,ADVOCATE)

AND:

SMT. DIVYA K C.,
W/O KARAN CHANDRASHEKAR,
AGED ABOUT 38 YEARS,
R/O.161, 6TH CROSS,
1ST MAIN, S.T. BED LAYOUT,
1ST BLOCK, KORAMANGALA,
BENGALURU
KARNATAKA 560 034.

...RESPONDENT

(BY SMT. PRATHIMA S.K.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS
OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION TO THE
RESPONDENT IN THE MATTER OF GANDWC 137/2023, TO HAND
OVER THE CUSTODY OF THE MINOR CHILDREN, KAVIN

CHANDRASHEKAR AND AANYA CHANDRASHEKAR, TO THE PETITIONER IN ACCORDANCE WITH THE CHILD ACCESS AND CUSTODY GUIDELINES, WITHOUT REQUIRING THE CHILDREN TO BE PRODUCED BEFORE THE HONBLE COURT, IN VIEW OF THE EXTRAORDINARY DELAYS IN THE PROCEEDINGS BEFORE THE HONBLE FAMILY COURT (ANNEXURE A) AND ETC.

IN WP NO. 5393/2026

BETWEEN:

KARAN CHANDRASHEKAR
AGED ABOUT 38 YEARS
S/O A. CHANDRASHEKAR
R/O UNIT K5, NO.480,
13TH MAIN, 3RD BLOCK,
KORAMANGALA,
BENGALURU
KARNATAKA - 560 034.

...PETITIONER

(BY SRI. K.B.S MANIAN, ADVOCATE A/W

SRI. AZHAR ALI FAROOQI, ADVOCATE)

AND:

SMT. DIVYA K.C,
W/O KARAN CHANDRASHEKAR,
AGED ABOUT 38 YEARS,
R/O.161, 6TH CROSS,
1ST MAIN, S.T. BED LAYOUT,
1ST BLOCK, KORAMANGALA,
BENGALURU
KARNATAKA - 560 034.

...RESPONDENT

(BY SMT. PRATHIMA S K.,ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION TO THE RESPONDENT IN THE MATTER OF G AND WC NO. 137/2023 TO HAND OVER THE CUSTODY OF THE MINOR CHILDREN, KAVIN CHANDRASHEKAR AND AANYA CHANDRASHEKAR, TO THE PETITIONER TO ENABLE HIM TO

EXERCISE EXTENDED UNSUPERVISED VISITATION RIGHTS FROM FRIDAY 5.00 PM TO SUNDAY 7.00 PM, TWICE A WEEK BETWEEN 5.00 PM AND 8.00 PM, AND VIDEO/PHONE CALLS DURING THE WEEK, AS PRAYED FOR IN I.A. NO. 20 (ANNEXURE-V) PENDING DISPOSAL OF G AND WC NO. 137/2023 AND ETC.

THESE PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 24.03.2026 AND COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE DR. JUSTICE K.MANMADHA RAO

CAV ORDER

The W.P.No.4087/2026 is filed seeking following reliefs:-

(a) Issue a Writ of Mandamus or direction to the respondent in G & WC No.137/2023 to hand over custody of the minor children, namely Kavin Chandrashekar and Aanya Chandrashekar, to the petitioner.

(b) Grant interim custody including 50% custody during vacation periods as sought in I.A.No.19 (Annexure-S) pending before the V Addl. Family Court at Bengaluru ("the Family Court").

(c) Set aside the order dated 03.05.2025 passed in I.A.No.19 (Annexure-B) insofar as it mandates the presence of the minor children.

(d) Direct the Family Court to adhere to the Child Access and Custody Guidelines, particularly in avoiding unnecessary summoning of minor children,

in terms of the directions issued by the Division Bench of this Court in W.P.No.2819/2024 dated 10.12.2025 (Annexure-A).

2. The W.P.No.5393/2026 is filed seeking following reliefs:-

(a) Issue a Writ of Mandamus or direction in G & WC No.137/2023 directing the respondent to hand over custody of the minor children to the petitioner to enable exercise of extended unsupervised visitation rights.

(b) Grant interim visitation including:

(i) Access from Friday 5:00 p.m. to Sunday 7:00 p.m.,

(ii) Visitation twice a week between 5:00 p.m. and 8:00 p.m.,

(iii) Video/phone calls during the week, as sought in I.A.No.20 (Annexure-V).

(c) direct the Family Court to adjudicate I.A.No.20 within a reasonable time in accordance with the Child Access and Custody Guidelines and in terms of the order dated 15.12.2025 in W.P.No.24360/2023 (Annexure-Z).

3. The petitioner in both the writ petitions is father and the respondents in both the writ petitions is mother of the minor children.

4. The brief facts of the case in both the writ petitions are:-

The petitioner in both the writ petitions is the father of the minor children, namely Kavin Chandrashekar and Aanya Chandrashekar, and the respondent is their mother. Both petitions are filed under Articles 226 and 227 of the Constitution of India in the backdrop of proceedings in G & WC No.137/2023 pending before the Family Court.

5. The grievance of the petitioner, in substance, is that despite various visitation orders passed from time to time, the respondent has not adhered to the same, and the Family Court has granted only limited and inadequate interim relief. It is further contended that the proceedings before the Family Court have been protracted, and interlocutory applications filed by the petitioner are not being taken up in a timely manner, thereby frustrating the very purpose of the interim reliefs sought and causing prejudice to the petitioner as well as affecting the welfare of the minor children.

6. The petitioner places further reliance on the Child Access and Custody Guidelines and the Parenting Plan, 2025, adopted by the Division Bench of this Court, to contend that

meaningful access and expeditious consideration of applications concerning custody and visitation ought to be ensured, while also avoiding unnecessary summoning of minor children.

7. Insofar as W.P.No.4087/2026 is concerned, the petitioner seeks custody of the minor children, including vacation custody, as prayed in I.A.No.19, and also calls in question the order dated 03.05.2025 to the extent it mandates the presence of the minor children.

8. Insofar as W.P.No.5393/2026 is concerned, the petitioner seeks enhancement of interim unsupervised visitation rights as prayed in I.A.No.20, and in the alternative, seeks a direction to the Family Court to expeditiously consider and dispose of the said application.

9. Heard learned counsel appearing on either side and perused material on record.

10. This Court has given anxious consideration to the submissions made by the learned counsel for the parties and also taken into consideration the list of dates and synopsis, order sheet in G & WC case, list of IA's filed by the petitioner and list of petitions filed by the petitioner and status of the

said cases filed by the counsel for respondent-mother on 24.03.2026.

11. Upon perusal of the material placed on record, including the order sheets, it appears that the Family Court is actively seized of the matter and has been making consistent efforts to proceed with the case. At this stage, it is not proper for this Court to undertake an adjudication of the merits of the rival claims relating to custody or visitation, as the same would require appreciation of facts and evidence, which falls within the domain of the Family Court. Any such exercise would amount to pre-empting the adjudicatory process pending before the competent Court.

12. It is a settled principle that this Court, in exercise of its writ jurisdiction, ought not to ordinarily fix rigid timelines for disposal of cases pending before Trial Courts, unless there is clear material to demonstrate lack of diligence or unwarranted delay on the part of the Trial Court. In the present case, no such circumstance is made out. The record discloses that the Family Court has been taking steps from time to time to advance the proceedings.

13. It is also evident that multiple interlocutory applications have been filed by the parties, particularly by the petitioner, which are pending consideration before the Family Court. While such applications are permissible in law, their multiplicity has a bearing on the overall timeline of the proceedings. The Family Court, being burdened with both the main petition and several interlocutory applications, is required to adjudicate the issues in a comprehensive manner.

14. It is also observed that the proceedings under the Family Courts Act are intended to be disposed of expeditiously, having regard to the paramount consideration of the welfare of the minor children. At the same time, issues relating to custody and visitation require a holistic consideration based on the pleadings and material on record, and cannot be appropriately determined in a piecemeal manner in proceedings of this nature.

15. In view of the above, this Court, in exercise of jurisdiction under Articles 226 and 227 of the Constitution of India, would not ordinarily interfere with such discretionary orders unless they suffer from perversity or patent illegality. In

the present case, this Court does not find any such illegality or perversity in the impugned order warranting interference.

16. Insofar as the prayers in the present writ petitions are concerned, this Court refrains from adjudicating upon the merits of the claims relating to custody or specific visitation arrangements. However, the petitions are considered to the limited extent of ensuring adherence to the Child Access and Custody Guidelines and the Parenting Plan, 2025, which is adopted by all the Courts and also the Division Bench of this Court particularly with regard to facilitating meaningful access, avoiding unnecessary summoning of minor children, and ensuring timely consideration of pending interlocutory applications.

17. In the above, this Court proceeds to pass the following:-

ORDER

These writ petitions are ***disposed of*** with a direction to the V Additional Family Court, Bengaluru, to take up G & WC No.137/2023 along with I.A.Nos.19 and 20 and all connected applications, and to consider and dispose of the same as expeditiously as possible, in accordance with law, while

adhering to the Child Access and Custody Guidelines and the Parenting Plan, 2025.

Accordingly, the present writ petitions are ***disposed of.***

SD/-
(DR.K.MANMADHA RAO)
JUDGE

BNV