

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO.5750 OF 2025 (GM-FC)

BETWEEN:

RAVIKUMAR T,
S/O KARIYAPPA @ THIMMAIAH
AGED ABOUT 48 YEARS
WARD NO.3, GANDHINAGAR,
RAMANAGARA TOWN,
RAMANAGARA TALUK,
RAMANAGARA DISTRICT-562 159.

WORKING AS HEAD COOK
BASAVANAPURA ASHRAMA SCHOOL
(SOCIAL WELFARE DEPARTMENT)
BASAVANAPURA VILLAGE,
MAYAGANAHALLI POST,
RAMANAGARA TALUK,
RAMANAGARA DISTRICT-562 158.

...PETITIONER

(BY SRI. CHANDRASHEKAR C.,ADVOCATE)

AND:

1. SMT. NAGARATHNA N
W/O RAVIKUMAR T.
D/O NAGANNA
AGED ABOUT 31 YEARS
2. BABY MAHALAKSHMI R.
D/O RAVIKUMAR T.
AGED ABOUT 12 YEARS
BEING MINOR REPTD. BY HER
NATURAL GUARDIAN MOTHER
THE RESPONDENT NO.1

Digitally signed by
VIJAYALAKSHMI B
N
Location: HIGH
COURT OF
KARNATAKA

BOTH ARE PRESENTLY R/AT NO.42,
4TH MAIN ROAD, MARUTHI NAGARA,
VRASHABAVATHI LAYOUT,
KAMAKSHIPALYA,
BENGALURU NORTH,
BENGALURU-560 079.

...RESPONDENTS

(BY SRI. HARIPRASAD M.B.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS IN CRL. MISC 563/2021 ON THE FILE OF THE HONBLE 6TH ADDL. FAMILY COURT JUDGE, AT BENGALURU AND QUASH THE ORDER DTD 11.11.2024 (ANNX-A) PASSED BY THE HONBLE 6TH ADDL. FAMILY COURT JUDGE, AT BENGALURU, IN CRL. MISC. NO. 563/2021, BY ISSUING A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, DIRECTION OR ORDER. GRANT COSTS OF THE PETITION.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 25.03.2026 AND COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

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

CAV ORDER

This petition is filed by the petitioner being aggrieved by the order dated 11.11.2024 passed by the VI Additional Principal Judge, Family Court, Bengaluru in Crl.Misc.No.563/2021 (hereinafter referred to as 'Family Court') whereby the Family Court has directed the

petitioner to pay interim maintenance of Rs.7,500/- each to the respondents.

The brief facts of the case are as follows:

2. The petitioner/husband married the respondent No.1/wife on 19.06.2011 at Shri.Kannika Mahal, Ramanagara. After the marriage, the petitioner and respondent lived together as husband and wife. Subsequently, the respondent alleged that the petitioner had subjected her to harassment and assault. On the basis of the said allegations, the respondent filed a petition seeking maintenance in CrI.Misc.No.563/2021 before the VI Addl. Principal Judge, Family Court, Bengaluru. The wife and daughter filed I.A.No.II under Section 125(1) of Cr.P.C. seeking interim maintenance of Rs.15,000/- per month.

3. After hearing the learned counsel appearing for the parties, the Family court, by order dated 11.11.2024 allowed I.A.No.II and directed the petitioner to pay interim maintenance of Rs.7,500/- each per month to the

respondents. Respondent No.1 is the wife and respondent No.2 is the minor daughter of the petitioner aged about 12 years, who is pursuing her education. Petitioner contends that the Family Court without considering the fact that he is permanent employee in the Department of Social Welfare as a Head Cook and earning a sum of Rs.26,271/- per month and he has to look after his mother aged 83 years, it has granted exorbitant interim maintenance of Rs.7,500/- to the respondents. He further contends that considerable expenditure has been incurred towards the house rent, payment of personal loan at State Bank India, Ramanagara Branch, medical expenses of his mother and his unmarried sister and his medical expenses and livelihood.

4. This Court has granted an interim order dated 01.07.2025 on the condition that the petitioner shall continue to pay maintenance of an amount of Rs.7,500/- per month to the respondents and also shall pay the arrears within a period of eight weeks from the date of

receipt of copy of the order. But the petitioner – husband has failed to comply the said interim order.

5. Learned counsel for the petitioner submits that his daughter is studying at Government School and there is no expenditure towards her education. The respondent No.1 – wife is working at SLN HP Gas Grameena Vitharaka Distributors, Jalamangala, Ramanagar and is drawing good amount of salary and hence, she is able to maintain herself. Hence, prays to allow the petition and quash the impugned order of the Family Court.

6. Learned counsel for the respondents submits that she has produced affidavit of assets and liabilities before the Family Court, which discloses that she has completed SSLC and has no income and the affidavit of assets and liabilities produced by the husband discloses that he is working in the Social Welfare Department as Head Cook and earning Rs.36,406/- per month. Hence, husband is liable to pay her maintenance to her as well as her child. Hence, prays for dismissal of the writ petition.

7. Heard the learned counsel appearing for both the parties and perused the material on record.

8. Upon perusal of the material on record, it is evident that the marital relationship between the petitioner and respondent No.1 and the paternity of respondent No.2 are not disputed. Though the petitioner claims his net salary to be Rs.26,271/-, it is undisputed that he is a permanent Government employee. The Family Court has considered the salary certificate and other documents. The liabilities such as loan repayment, rent, and medical expenses, though relevant, cannot override the statutory obligation to maintain wife and minor child. Maintenance to dependents takes precedence over personal financial commitments.

9. The contention taken by the petitioner that the respondent No.1 is employed is not substantiated with cogent proof at this interim stage. Mere allegation is insufficient to deny maintenance. The amount of Rs.7,500/- per month each (total Rs.15,000/-) granted by

the Family Court cannot be said to be excessive considering cost of living, status of the parties and needs of the minor child. In the present case, the petitioner has failed to demonstrate any perversity or illegality in the impugned order.

10. Having considered the facts and circumstances of the case, this Court does not find any infirmity in the impugned order passed and grounds for interference. The maintenance awarded through the impugned order is just and proper as an interim measure. Therefore, this Court is of the view that there are no merits in this writ petition. Accordingly, the following:-

ORDER

(i) The Writ Petition is hereby ***dismissed***.

(ii) The order dated 11.11.2024 passed on I.A.No.2 in CrI. Misc. No.563/2021 by the VI Additional Family Court Judge, Bengaluru, directing the petitioner to pay interim maintenance of Rs.7,500/- per month each to respondents, is hereby affirmed.

(iii) Petitioner – husband shall clear all arrears within a period of four weeks.

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

MH/-