



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 64 OF 2024

BETWEEN:

SRI. DAYANANDA BABU M V
S/O VENKATESHAPPA M V
AGED ABOUT 43 YEARS,
R/O MECHANICAL FITTER, TRUCK DIVISION,
EMPLOYEE NO.T-223, 29614 BEML LTD.,
MYSORE COMPLEX, BELAVADI POST,
MYSURU.
ALSO R/AT MUTHUGADAHALLI
SHIVARAPATANA POST
MALUR TALUK, KOLAR DISTRICT - 563 130.

...PETITIONER

(BY SRI. RANJAN KUMAR K, ADVOCATE)

AND:

1. SMT. RATHNA S.A.
W/O SRI. DAYANANDA BABU
AGED ABOUT 37 YEARS,
2. HARSHITH NANDAN
S/O SRI DAYANANDA BABU,

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



AGED ABOUT 6 YEARS,

PETITIONER NO.2 IS MINOR,
REPRESENTED BY HIS NATURAL
GUARDIAN MOTHER, 1ST RESPONDENT.
BOTH R/AT D.NO.A15/9,
BEML TOWNSHIP,
BEML QUARTERS, BELAVADI POST,
HINKAL, MYSURU.

...RESPONDENTS

(BY SMT. P.V. KALPANA, ADVOCATE FOR R1;
R2 IS MINOR REP. BY R1)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY
COURT ACT., AGAINST THE ORDER DATED 5.01.2024 PASSED
IN CRL. MISC NO.842/2021 ON THE FILE OF PRL, JUDGE,
FAMILY COURT, MYSURU., PARTLY ALLOWING THE PETITION
FILED UNDER SEC.125 OF CR.P.C., FOR MAINTENANCE.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



ORAL ORDER

Heard Sri.Ranjan Kumar.K learned counsel for the petitioner as well as Smt.P.V.Kalpana learned counsel for respondents.

2. Challenge in this revision petition is the order that is rendered by the Court of Principal Judge, Family Court, Mysuru in Criminal Miscellaneous Case No.842/2021 dated 05.01.2024. Respondent No.1 herein who is the wife and respondent No.2 the son of the petitioner herein filed a petition invoking Section 125 of Cr.P.C. and seeking maintenance from the petitioner. Family Court through the impugned order directed petitioner to pay respondent No.1/wife a sum of Rs.5,000/- and respondent No.2/son a sum of Rs.6,000/- per month towards maintenance. Aggrieved by the liability thus imposed, the petitioner is before this Court.

3.Learned counsel for the petitioner states that petitioner looked after respondent No.1 well. However she



left the matrimonial home and started residing with her parents. Though petitioner tried to mediate the matter and requested respondent No.1 several times to join him, respondent No.1 refused. Respondent No.1 gave complaint to police against the petitioner and a criminal case was registered against him. That apart respondents filed a Criminal Miscellaneous Case No.842/2021 seeking maintenance and the Family Court passed the impugned order directing petitioner to pay respondents maintenance to the extent ordered. Learned counsel states that the petitioner is not at fault and respondents are residing separately due to the adamant attitude of respondent No.1. Learned counsel also states that the salary of the petitioner is Rs.35,715/- out of which he has to maintain himself. Also respondents are residing in the quarters allotted to the petitioner and petitioner is residing elsewhere. Petitioner is paying rent to the quarters and he is also incurring necessary expenditure towards electricity and water charges. The amount thus spent for payment of



rent to the quarters, towards electricity and water charges comes to Rs.6,500/-. Hence, petitioner is unable to pay a sum of Rs.5,000/- towards maintenance of respondent No.1 and Rs.6,000/- towards maintenance of respondent No.2. Learned counsel thereby seeks to modify the impugned order.

4. *Per contra*, learned counsel for respondent states that due to the attitude of the petitioner, respondents are residing separately. First respondent went to her parents' place while she was pregnant for delivery of the child. Later petitioner refused to take back the respondents. That apart petitioner maintains illicit intimacy with one Radhika and disputes arose between the couple in that regard. The document filed by the petitioner himself reveals that petitioner pays Rs.275/- towards rent, Rs.135/- towards electricity charges and Rs.46/- towards water charges. Learned counsel thereby seeks to dismiss the petition.



5. The contents of Exhibit R18 supports the submission of learned counsel for respondents that petitioner pays a sum of Rs.275/- only towards rent, Rs.135/- towards electricity and Rs.46/- towards water charges. The total salary of the petitioner including allowances for the month of September 2023 as per the contents of Exhibit R18 is Rs.35,715/-.

6. As the respondents are staying in the quarters allotted to the petitioner, as the petitioner is not staying in the said quarters and as he is staying outside it can be inferred that the petitioner has to incur certain amount towards rent to be payable for the house in which he stays. Thus considering said fact, the income of the petitioner, as petitioner is looking after the accommodation of respondents, the required electricity and water charges, this Court is of the view that the amount which can be awarded towards maintenance to respondent No.1 can be Rs.4,000/- per month and to



respondent No.2 Rs.5,000/- per month. Therefore the revision petition is disposed of with the following:-

ORDER

- i. The revision petition is allowed in part.
- ii. The order that is rendered by the Court of Principal Judge, Family Court, Mysuru in Criminal Miscellaneous Case No. 842/2021 dated 05.01.2024 is modified.
- iii. Petitioner/respondent is directed to pay respondent No.1/petitioner No.1 a sum of Rs.4,000/- per month from the date of filing of Criminal Miscellaneous Case No.842/2021 till her lifetime or until further orders by the competent Court in that regard.
- iv. Petitioner/respondent is directed to pay respondent No.2/petitioner No.2 a sum of Rs.5,000/- per month towards his maintenance from the date of filing of Criminal Miscellaneous



Case No.842/2021 till he attains the age of majority.

- v. Amount already paid if any shall be adjusted.
- vi. All arrears to be cleared within a period of 8 weeks.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

VS
List No.: 1 Sl No.: 42