



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 9654 OF 2026 (GM-FC)

BETWEEN:

ANANTHARAJU M

AGED ABOUT 41 YEARS,

S/O. LATE GOPIRAPPA

RESIDING AT NO. 9-40/5/1/A,

SANJEEVA REDDY COLONY,

ARYA NAGAR, NIZAMABAD,

TELANGANA STATE.

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. YOGESH, ADVOCATE FOR

SRI. V. MANJUNATHA, ADVOCATE)

AND:

SMT CHANDINI M B

W/O ANANTHARAJU M.,



AGED ABOUT 26 YEARS,
R/AT KODIRANGANATHASWAMY NILAYA,
NEAR SOPHIYA SCHOOL, UPPARAHALLI,
TUMAKURU-572102

...RESPONDENT

(BY SRI. MURTHY H.R., ADVOCATE FOR
SRI. T.M. VIJAYA KUMAR, ADVOCATE FOR
C/R1 IN CP5858/2026)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE
ORDER DTD 25.02.2026 PASSED IN M.C.NO.71/2023 ON IA
NOs.XI AND XII BY THE I ADDL. PRL. JUDGE, FAMILY COURT,
TUMAKURU (ANNX-A) AND ETC.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



ORAL ORDER

Heard Sri.Yogesh who represents Sri.V.Manjunatha learned counsel on record for the petitioner as well as Sri.Murthy H.R who represents Sri.T.M.Vijaya kumar learned counsel on record for the respondent.

2. Seeking the Court to issue a writ of certiorari and to quash the order that is rendered by the Court of I Additional Principal Judge, Family Court, Tumakuru on I.A Nos.XI and XII in M.C. No.71/2023 dated 25.02.2026 this writ petition is filed.

3. Learned counsel for the petitioner submits that petitioner is the husband of respondent. To establish the defence taken by the petitioner/husband in M.C. No.71/2023, he moved I.A No.XI to re-call the order dated 13.01.2026 and also filed I.A No.XII to re-call the RW-1 to lead further evidence by recalling the order dated 31.01.2026. Both the applications stood dismissed and aggrieved by the same this writ petition is filed.



4. Learned counsel for the petitioner contends that to establish that respondent behaved indifferently with the petitioner, there is every necessity to get a required details from Bharti Airtel Ltd., and therefore Family Court ought to have issued fair opportunity to the petitioner to establish his version by allowing those applications. Learned counsel thereby seeks to allow this writ petition and thereby to set aside the impugned orders and consequently to allow I.A No.XI and I.A No.XII.

5. On the other hand, learned counsel for the respondent states that petitioner/husband is dragging on the proceedings on one pretext or the other. Though sufficient time and opportunities were given to the petitioner to summon the relevant witness and examine him on his side, petitioner could not avail the opportunities given and therefore this writ petition is not maintainable.



6. The flow of proceedings as narrated at para 10 of the impugned order are not in dispute. Learned counsel for the petitioner failed to deny the fact that petitioner failed to furnish the process for issuance of notice to the witness for considerable period and thereafter when the witness summons were returned with an endorsement 'addressee left', petitioner failed to take steps against the witness. Also there is no denial of the fact that the Family Court gave number of opportunities for RW-1 to appear before the Court and give evidence. Also there is a clear mention that when the proposed witness sought for further information and when Family Court passed a specific order directing the petitioner herein to submit the details, the petitioner failed to furnish those details.

7. At para-11 of the impugned order, Family Court made a mention that petitioner engaged 5 advocates till now and such change of advocates though is at the discretion of the petitioner, his way of conducting the proceedings reveals that he is protracting the proceedings.



Family Court also made a mention that a party cannot be allowed to control the proceedings as per his choice. Keeping a side those observations, record reveals that sufficient time and opportunity was given by the Family Court so as to facilitate the petitioner to lead all his evidence. It is also clear that petitioner could not avail those opportunities.

8. Having gone through the contents of the impugned order and the flow of proceedings, this Court is of the view that there are not grounds to set aside the orders under challenge. Therefore, this Court holds that the writ petition is devoid of merits.

Resultantly the writ petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

VS
List No.: 1 Sl No.: 7