



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 96 OF 2025

BETWEEN:

SRI. RAJANNA
AGED ABOUT 62 YEARS,
S/O. LATE SANJEEVAIAH,
R/O. HABBATTANAHALLI,
KASABA HOBLI, MALLASANDRA POST,
TUMAKURU TALUK - 572 107
TUMAKURU DISTRICT.

...PETITIONER

(BY SRI. V.B. SIDDARAMAIAH, ADVOCATE)

Digitally signed by
AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

AND:

1. SMT. MANJULA
W/O. RAJANNA,
AGED ABOUT 39 YEARS,
2. KUM. DURGASHREE
D/O. RAJANNA,



AGED ABOUT 21 YEARS,

BOTH ARE R/AT. BIDANAGERE VILLAGE,
HEBBURU HOBLI - 572 122
TUMAKURU TALUK AND DISTRICT.

...RESPONDENTS

(BY SRI. C.S. MADHU, ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT., AGAINST THE ORDER DATED 24.07.2024
PASSED IN CrI. Misc NO.286/2023 ON THE FILE OF I
ADDITIONAL PRL. JUDGE, FAMILY COURT, TUMAKURU., PARTLY
ALLOWING THE PETITION FILED UNDER SEC.125 OF Cr.P.C.,
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.V.B.Siddaramaiah learned counsel for the petitioner who appears before this Court physically. Also heard Sri.C.S.Madhu learned counsel for respondents who appears through video conference.

2. This revision petition is filed challenging the order that is rendered by the Court of I Additional Principal Judge, Family Court, Tumakuru in Criminal Miscellaneous Case No.286/2023 dated 24.07.2024. Respondents herein filed a petition invoking Section 125 of Cr.P.C. seeking maintenance of Rs.50,000/- per month from the petitioner herein. Family Court through the impugned order directed the petitioner herein to pay respondent Nos.1 and 2 a sum of Rs.6,000/- each towards maintenance. Aggrieved by the same, this revision petition is filed.

3. Learned counsel for the petitioner submits that petitioner who is the husband of respondent No.1 and father of respondent No.2 is an illiterate, aged around 62 years. He has not received any notice whatsoever. Respondents managed the postal authorities as well as the process server. They took the



signature of the petitioner informing him that his signature is required for the revenue department to change revenue entries. As petitioner was not aware of filing of a case against him, he could not contest. Respondents thereby obtained an ex-party order. Learned counsel thereby seeks to set aside the impugned order and give an opportunity to the petitioner to contest the case.

4. On the other hand learned counsel for respondents submits that the petitioner having fully aware of the contents of the notice sent, received the notice and thereby there are no grounds to set aside the said order.

5. Admittedly, petitioner has not contested the case. Respondents failed to dispute the fact that petitioner is an illiterate. Therefore considering the ground urged, this Court is of the view that a fair opportunity is required to be granted to the petitioner to put forth his version. Also this Court is of the view that the rights of the respondents are required to be protected. Hence the revision petition is disposed of with the following:-



ORDER

- i. The order that is rendered by the Court of I Additional Principal Judge, Family Court, Tumakuru in Criminal Miscellaneous Case No.286/2023 dated 24.07.2024 is set aside.
- ii. Date of appearance of the parties before the Family Court is fixed as 18.03.2026. Issuance of further notice to the parties is not required.
- iii. Respondent shall file his statement of objections/ counter and affidavit disclosing his assets and liabilities within a week from 18.03.2026. Failure on the part of the petitioner/respondent to do so will result in confirmation of the impugned order.
- iv. Pendente lite petitioner/respondent shall pay respondent Nos.1 and 2/petitioner Nos.1 and 2 a sum of Rs.3,000/- each towards interim maintenance.
- v. Such payment shall be made from the date of petition filed for grant of maintenance.



In the light of the disposal of revision petition, the proceedings in I.A No.2/2025 are closed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

VS
List No.: 1 Sl No.: 14