



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 13529 OF 2026 (GM-RES)

BETWEEN:

SRI. B. PRAVEEN KUMAR REDDY
S/O B LOURDHU REDDY,
AGED ABOUT 37 YEARS,
R/AT PEDDA KOTTALA VILLAGE,
NANDYAL MANDAL, KURNOOL DISTRICT,
PEDDAKOTTALA, ANDHRAPRADESH - 518 502.

...PETITIONER

(BY SRI. NAGABHUSHAN R, ADVOCATE)

AND:

SMT MARIYA SWAPNA
@MARY SWAPNA,
@MARIA SWAPNA,
W/O SRI. B. PRAVEEN KUMAR REDDY,
AGED ABOUT 32 YEARS,
R/AT NO. 114, MM REDDY ROAD,
MARIANAPALYA,
HA FARM, BENGALURU - 560 024

...RESPONDENT

THIS WP IS FILED UNDE ARTICLE 226 OF THE
CONSTITUTION OF INDIA R/W SEC.528 OF BNSS ACT PRAYING
TO QUASH THE ORDER DATED 20/02/2026, IN CRL. MISC. NO.
233/2024 PASSED BY THE JUDICIAL MAGISTRATE FIRST

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by
SHARADAVANI
B
Location: High
Court of
Karnataka



CLASS (TRAFFIC COURT-VI), BENGALURU CITY ON IA NO. 1,
WHICH IS AT ANNEX-A TO THE WP AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The challenge mounted by the petitioner to the order of interim maintenance passed by the learned Magistrate under the provisions of the Protection of Women from Domestic Violence Act, 2005, awarding a sum of Rs.10,000/- per month, is essentially predicated on two grounds. Firstly, it is contended that the respondent-wife along with the minor children is residing in a residential house constructed by the petitioner himself, towards which he is servicing Equated Monthly Instalments (EMIs), and therefore, the financial burden already borne by him ought to have been factored while determining interim maintenance. Secondly, it is urged that the quantum of Rs.10,000/- is excessive and arbitrary, and further that the learned Magistrate has erred in directing payment of maintenance from the date of the petition instead of from the date of the application.



2. Having given anxious consideration to the submissions advanced on both sides and upon perusal of the material on record, this Court is not persuaded to accept either of the grounds urged by the petitioner. It is not in dispute that the parties are residing in Bengaluru and that the marital relationship has resulted in two minor children, who are presently in the custody and care of the respondent-wife. The responsibility of nurturing, maintaining, and providing for the day-to-day needs of the children squarely rests upon the respondent. In the context of the prevailing cost of living in a metropolitan city like Bengaluru, this Court is of the considered opinion that the sum of Rs.10,000/- awarded towards interim maintenance can by no stretch of imagination be termed as excessive; on the contrary, it appears to be modest, if not inadequate, having regard to the needs of the wife and two minor children.

3. The contention that the petitioner is discharging financial obligations towards repayment of housing loan EMIs does not absolve him of his statutory and moral duty to maintain his wife and children. Provision of shelter, even if



assumed in favour of the petitioner, is only one facet of maintenance and cannot eclipse the broader obligation to provide for food, clothing, education, medical expenses, and other incidental needs. The learned Magistrate has exercised discretion judiciously in balancing these considerations while fixing the interim maintenance.

4. Insofar as the grievance relating to the commencement of maintenance from the date of the petition is concerned, the same is equally untenable. It is well-settled that grant of maintenance from the date of the petition is permissible and, in appropriate cases, warranted, particularly where the husband has neglected or failed to maintain his dependents. The petitioner, having failed to demonstrate any perversity or legal infirmity in the exercise of such discretion by the learned Magistrate, cannot seek interference of this Court in writ jurisdiction.

6. In the considered view of this Court, the impugned order does not suffer from any illegality, perversity, or arbitrariness warranting interference under Articles 226 and 227 of the Constitution of India. Accordingly, the writ petition



being devoid of merit is liable to be dismissed. Hence, the following:

ORDER

- i. The writ petition stands ***dismissed***;
- ii. The interim maintenance awarded by the learned Magistrate at Rs.10,000/- per month from the date of the petition is affirmed;
- iii. No order as to costs.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**