



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22<sup>ND</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**

**WRIT PETITION NO.12954 OF 2025 (GM-FC)**

**BETWEEN:**

SRI MANJUNATH GURUMALLAPPA,  
S/O T. M. GURUMALLAPPA,  
AGED ABOUT 42 YEARS,  
R/AT NO. 310, 13TH CROSS,  
WEST OF CHORD ROAD, II STAGE,  
MAHALAKSHMIPURAM,  
BANGALORE-560 086.

...PETITIONER

(BY SMT. SUKANYA BALIGA B., ADVOCATE)

**AND:**

SMT SAPNASHREE PANAGAR  
D/O B.M. SHIVARUDRAIAH,  
AGED ABOUT 31 YEARS  
R/AT GNANA JYOTHI NILAYA,  
4TH MAIN,  
10TH CROSS, JAYANAGAR,  
TUMKUR - 572102.

...RESPONDENT

(BY SRI. S.H. AVINASH SHANKAR, ADVOCATE FOR  
SRI. G. S. PRASANNA KUMAR, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO SETTING ASIDE

Digitally signed  
by AASEEFA  
PARVEEN

Location: HIGH  
COURT OF  
KARNATAKA



ANNX-J, BEING IMPUGNED ORDER DATED 05/02/2025 ON IA NO. IV IN MC NO.1369/2020 PASSED BY THE HONBLE IV ADDL. PRL. JUDGE, FAMILY COURT, BENGALURU.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

**ORAL ORDER**

Heard Ms.Sukanya Baliga.B learned counsel for the petitioner who appears before this Court physically. Also heard Sri.S.H.Avinash Shankar who appears through video conference representing Sri.G.S.Prasanna Kumar learned counsel on record for the respondent.

2. Seeking the Court to issue a writ of certiorari and to set aside the order that is rendered by the Court of VI Additional Principal Judge, Family Court, Bengaluru on I.A.No.IV in MC No.1369/2020 dated 05.02.2025, this writ petition is filed.



3. Learned counsel for the petitioner submits that petitioner is the husband of the respondent. Their marriage was performed in the year 2013 and they gave birth to a boy in the year 2015. Later disputes arose between them and thereby respondent and the child are residing separately. Petitioner filed MC No.1369/2020 seeking decree of divorce. Respondent/wife filed I.A.No.IV seeking interim maintenance. Family Court directed petitioner to pay wife a sum of Rs.20,000/- per month towards the maintenance of the minor child. Family Court also directed petitioner to bear 60% of the educational expenses of the minor child. Learned counsel states that due to the adamant attitude of respondent she is residing separately. Even respondent is an employee and she earns around Rs.7,50,000/- per annum. Said amount is sufficient for her to maintain herself as well as the child. That apart, respondent never allowed petitioner to approach the child. Learned counsel thereby seeks to set aside the impugned order.



4. Per contra, learned counsel who represents the respondent states that respondent is taking care of the child and is meeting all the educational expenses. Petitioner spent no amount for the welfare of the child till passing of the impugned order. That apart, petitioner earns more than that of the respondent and thus, he should pay the amount awarded as interim maintenance.

5. In the impugned order there is a discussion with regard to the financial status of both parties. While the wife earns around Rs.7,50,000/- per annum, husband earns Rs.2,34,000/- per month. Admittedly, obligation vests upon both parties i.e., father and mother in case both are earning and are financially sound to contribute their earnings for the welfare of their children. In the case on hand the version of petitioner/father is that his monthly expenditure is around Rs.1,60,000/-. Therefore, when father needs a sum of Rs.1,60,000/- per month for his maintenance at least the child needs good amount of the



same for maintenance. Trial Court directed petitioner to pay respondent a sum of Rs.20,000/- per month for the maintenance of the child. Trial Court also directed the petitioner to meet 60% of the educational expenses of the child. The directions thus issued are reasonable. This Court does not find any grounds to interfere. Petitioner/husband cannot claim that as the wife is earning, he is not liable to pay any sum towards the maintenance of the child. Also though learned counsel for the petitioner states that maintenance to the child cannot be granted under Section 24 of the Hindu Marriage Act, as wife is under obligation to take care of the child, husband should pay the wife the required amount for the maintenance of the child. Therefore, one way we can hold that the amount paid is for the maintenance of the wife which includes her expenditure to be incurred for looking after the children. Therefore, this Court finds no infirmity in the impugned order.



Resultantly, the following:

**ORDER**

The writ petition is dismissed.

**Sd/-**  
**(DR.CHILLAKUR SUMALATHA)**  
**JUDGE**

DS  
CT:TSM  
List No.: 1 Sl No.: 18