



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 18692 OF 2025 (GM-FC)

BETWEEN:

SRI TIRUPATHI REDDY
TIRUMALESHWARA REDDY
S/O SRI NAGI REDDY
AGED ABOUT 43 YEARS
R/AT NO 5-110-1
AREPALLI R. MUPPALLA VILLAGE
IPURU MANDAL
GUNTUR DISTRICT
ANDHRA PRADESH - 522661

ALSO R/AT
3A THIRD FLOOR
KG PINNACLE, NO 265/3
BLOCK NO 17,
GANDHI STREET
ADAMBAKKAM
CHENNAI - 600088
TAMIL NADU STATE.

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. SIDDHARTH B. MUCHANDI, ADVOCATE)

AND:

SMT. MALA L.,
W/O DR SIDDA REDDY
R/AT NO 60/4



ENVIRON TOWERS,
4TH FLOOR,
KONAPPANA AGRAHARA,
HOSUR MAIN ROAD,
ELECTRONIC CITY,
BANGALORE - 560100.

ALSO AT:
NO 16 AND 17,
8TH CROSS
SIDDESHWARA MANSION,
HALUR MAIN ROAD,
PARAPPANA AGRAHAR,
ELECTRONIC CITY,
BANGALORE - 560100.

...RESPONDENT

(BY SRI. NARAYANA REDDY M., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET-ASIDE THE ORDER DATED 05/04/2025 IN G AND WC NO. 5/2023 PASSED BY THE HON BLE VII ADDL. SENIOR CIVIL JUDGE AND JMFC, BENGALURU RURAL AT BENGALURU ON APPLICATION U/S. 12 OF THE GUARDIANS AND WARDS ACT R/W. SECTION 6(A) OF THE HINDU MINORITY AND GUARDIANSHIP ACT R/W. SECTION 151 OF THE CODE OF CIVIL PROCEDURE I.E., ANNEXURE-E AND CONSEQUENTLY ALLOW THE SAID APPLICATION.

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



CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.Siddharth B Muchandi learned counsel for the petitioner as well as Sri.Narayana Reddy.M learned counsel for the respondent.

2. Seeking the Court to set aside the order that is passed by the Court of VII Additional Senior Civil Judge, Bengaluru Rural on I.A.No.III in G&WC No.5/2023 dated 05.04.2025 this writ petition is filed.

3. Learned counsel for the petitioner submits that petitioner married the younger sister of respondent in the year 2011. Their marital bliss resulted in birth of two children i.e., Ms.N.T.Krishika and Master N.T.Bhargava Reddy. Ms.N.T.Krishika was born in the year 2012 and Master N.T.Bhargava Reddy was born in the year 2017. Due to differences that arose between the couple, the marriage was dissolved by a decree of divorce. However, they entered into an agreement that custody of the children shall remain with wife. Also they agreed that in



case due to any unforeseen incident, wife dies, the custody of the children should be handed over to petitioner/father. Wife passed away in the year 2022. Respondent took the custody of the children. Petitioner/father requested respondent to hand over the custody of the children. But respondent refused. Respondent filed G&WC No.5/2023 seeking the Court declare her to be the guardian of the children. In the said case, petitioner/father filed I.A.No.III seeking the Court to direct respondent herein to hand over the temporary custody of the minor children. The Court rejected his request, however, permitted him to visit the children on every Sunday from 10.00 a.m. to 06.00 p.m. Learned counsel states that the visitation was ordered to be at any public place and though the petitioner is coming all the way from Chennai every week to visit his children, respondent is denying access.



4. Learned counsel for the respondent on the other hand submits that respondent is complying the order and she never denied the access.

5. The Court of VII Additional Senior Civil Judge, Bangalore Rural, at para 15 of the impugned order observed as follows:

"15. As per the interaction, the court opined that, there is no that good relation developed between children and respondent. First, the respondent should build a good relationship with the children. For building such relationship he needs to visit the kids regularly, hence, at this stage granting custody is impossible. However, the respondent can be given child visitation rights. Hence to protect the love and affection of the respondent as father of the children and in the interest of the welfare of the children, the custody of the child to the respondent/father cannot be granted."

6. This Court is of the view that the observations thus made are valid and the petitioner/father is required to develop good bondage with the children before he seeks for the custody.



7. The only grievance expressed by learned counsel for the petitioner is that even respondent is not permitting the petitioner to spend time with the children on every Saturday and thereby respondent is violating the impugned order. Both the learned counsel states that the place of visitation can be changed to the visitation room Family Court premises, Nyayadegula.

8. Having considered the submission thus made, the petition is disposed of with the following:

ORDER

- (i) The order that is rendered by the Court of VII Additional Senior Civil Judge, Bengaluru rural on I.A.No.III in G&WC No.5/2023 dated 05.04.2025 is modified.
- (ii) Respondent herein is directed to produce the children at the visitation room Family Court's complex Nyayadegula on every Sunday by 10.00 a.m.
- (iii) Petitioner is permitted to play, interact and spend time with the children at the said place



from 10.00 a.m. to 2.00 p.m. Thereafter, petitioner is permitted to take the children to any place within Bengaluru city either for providing food or for making them play.

- (iv) Petitioner shall drop children at the residence of respondent by 6.00 p.m. This arrangement shall continue until further orders by the Court of VII Additional Senior Civil Judge, Bengaluru Rural.
- (v) Petitioner is granted liberty to move an application for temporary custody of the children on expiry of after three months from the date of this order.
- (vi) In case such an application is filed, the Court of VII Additional Senior Civil Judge, Bengaluru Rural District is directed to dispose of said application on its own merits without being influenced by any of the observations made by this Court in this order. Application filed shall be disposed of preferably within a period of one month from the date of filing.

The writ petition is accordingly disposed of.



On the consensus arrived at between both counsels, regarding video calls, petitioner/father is permitted to converse with the children through video call on every Tuesday and Thursday between 07.00 p.m. and 07.30 p.m. Respondent shall take all steps to make the children available during that period.

In case due to any sufficient cause, the children could not be made available, the reason be communicated to the petitioner in advance.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 40