



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 17594 OF 2026 (GM-FC)

BETWEEN:

SMT. DIVYA K. C.,
W/O KARAN CHANDRASHEKAR,
AGED ABOUT 35 YEARS,
R/AT 161, 6TH CROSS, ST. BED,
4TH BLOCK, KORAMANAGALA,
BENGALURU - 560034

...PETITIONER

(BY SMT. PRATHIMA S. K., ADVOCATE)

AND:

SRI. KARAN CHANDRASHEKAR,
S/O A. CHANDRASHEKAR,
AGED ABOUT 36 YEARS,
R/AT NO.480, 13TH MAIN,
3RD BLOCK, KORAMANGALA,
BENGALURU - 560034.

...RESPONDENT

(BY SRI. AZHAR ALI FAROOQI, ADVOCATE FOR C/R
IN CP NO. 14173/2026)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, ORDER OR DIRECTION IN THE FORM OF CERTIORARI TO SET ASIDE THE ORDER DATED 9.06.2026 ON IA NO. 19 IN G AND WC NO.137/2023 VIDE ANNEXURE- P PASSED BY THE HON'BLE V ADDL. PRL. JUDGE, FAMILY COURT, BENGALURU ON IA NO.19 FILED BY THE RESPONDENT UNDER SEC 12 OF GUARDIAN AND WARDS ACT SEEKING INTERIM CUSTODY OF THE MINOR CHILDREN.

Digitally signed
by AASEEFA
PARVATHI
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Ms.Prathima.S.K learned counsel for the
petitioner as well as Sri.Azhar Ali Farooqi learned counsel
for the respondent.

2. Seeking the Court to issue a writ of certiorari
and to set aside the order passed by the Court of
V Additional Principal Judge, Family Court, Bengaluru on
I.A.No.XIX in G&WC No.137/2023 dated 08.06.2026, this
writ petition is filed.

3. Learned counsel for the petitioner submits that
petitioner is the wife of the respondent. They gave birth to
two children the son Kavin Chandrasekhar and daughter
Aanya Chandrasekhar. Due to disputes that arose between
them they are residing separately. Children are under the
care and custody of petitioner/mother. Respondent/father
filed I.A.No.XIX seeking Family Court to direct



petitioner/mother to hand over the custody of the minor children for 50% during summer, winter, Diwali, Dasara and all vacations. Respondent/father also filed I.A.No.XX for extension of existing visitation rights. Family Court through the impugned order gave certain directions in respect of interim custody. Petitioner/mother is aggrieved by the direction of interim custody of the son for 50% i.e., second half of the summer vacation 2026. Learned counsel states that summer vacation 2026 is for about two months. As per the directions given in the impugned order, petitioner/mother will have the custody in the first half of the summer vacation and respondent/father will have the custody of the son in the second half of summer vacation i.e., for about one month. Petitioner/mother requires to see the child at least during weekends within that one month and therefore, it is sufficient if this writ petition is disposed of modifying the impugned order to that extent and granting visitation rights to the mother in



respect of her son during the second half of summer vacation 2026.

4. Vehemently opposing the submission thus made, learned counsel for the respondent contends that petitioner/mother is having custody of the son during entire year except weekends during which interim custody was given to the respondent/father. Thus, there are no grounds to grant the interim custody during weekends within the second half of summer vacation 2026, during which as per the impugned order respondent father will be in custody of the son. Learned counsel also submits that second half of the summer vacation 2026 is only for a period of 21 days, but not one month, as contended by learned counsel for the petitioner.

5. In reply to submission thus made, learned counsel for the petitioner/wife states that in G&WC No.137/2023 that is pending between the parties, as many as 32 interlocutory applications were filed till now out of which 29 were by the respondent/father.



6. During the course of submission, both the learned counsel collectively stated that orders rendered in some of the interlocutory applications were challenged before this Court and few orders went up to Hon'ble Apex Court.

7. The flow of proceedings as per the material available on record reveals sad state of affairs. Both the parties i.e., mother and father are fighting for custody of children. Though such fight is permissible as they being the parents would naturally tend to have custody of their children yet, the worst part is that the parents are looking at the children as commodities and not as those who have emotions, love and affection, the right of audience and expression.

8. So far as the merits in this writ petition are concerned, having gone through the contents of the impugned order, this Court is of the view that the Family Court has taken into consideration each and every aspect of the case and has borne in mind the welfare of the



children also. This Court does not find any grounds whatsoever more so convincing to disturb the well reasoned order of the Family Court and the findings given.

9. In the impugned order there is a clear mention that during interim custody of the minor son with the respondent/father, the respondent/father shall facilitate the son to talk with petitioner/mother daily for 10 to 15 minutes between 07.00 p.m. and 07.30 p.m. Hence, this Court is of the view that this writ petition lacks merits.

10. While dictating this order learned counsel for the petitioner states that picking up and dropping of the children was ordered to be done by respondent/husband or his close relatives. One of the child is a girl and therefore, specification in that regard is required. Submission made in that regard requires consideration. The submission that is made by learned counsel for the respondent/father in this regard is that respondent suffered with cancer and thus, if he is unable to drop the children, his mother or his sister will take up the task.



Recording the submission thus made, the writ petition is disposed of with the following order:

- (i) The writ petition is dismissed. However, it is ordered that picking up and dropping of the children shall only be done by the respondent/father or his sister or his mother and by none others.
- (ii) In the light of the apprehension expressed by learned counsel for the petitioner that the petitioner may not be permitted to challenge the order on I.A.No.XX as it is a common order, it is clarified that this order pertains to the challenge made on I.A.No.XIX only.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
LIST NO.: 1 SL NO.: 14