



CNR: KAHC010487452026

NC: 2026:KHC:47158
WP No. 22223 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 22223 OF 2026 (GM-FC)

BETWEEN:

SRI. NARASIMHAMURTHY,
S/O KRISHNAPPA,
AGED ABOUT 38 YEARS
R/AT THOTADAMANE, HATHYALU
RAJATHADRIPURA,
KIBBANAHALLI HOBLI,
TIPTUR TALUK,
TUMKUR DISTRICT-572 201
ALSO WORKING AT BMTC
DEPOT NO.22, METAL NO.2208 DRIVER,
PEENYA 2ND STAGE,
BENGALURU-560 058.

...PETITIONER

(BY SRI. BHUVAN K.P., ADVOCATE)

AND:

1. SMT. MAMATHA V.,
W/O NARASIMHAMURTHY
AGED ABOUT 34 YEARS,
2. KUM.DEEKSHA.N.
D/O NARASIMHAMURTHY
AGED ABOUT 14 YEARS
3. MASTER PRAJWAL
S/O NARASIMHAMURTHY,
AGED ABOUT 12 YEARS,

RESPONDENTS NO. 2 AND 3 ARE
MINORS REPRESENTED BY

Digitally signed
by AASEEFA
PARVEEN
Location: HIGH
COURT OF
KARNATAKA



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THEIR MOTHER AND
NATURAL GUARDIAN SMT.MAMATHA.V.

ALL ARE R/AT NO.35,
4TH CROSS, 5TH MAIN ROAD,
RAJEEVGANDHINAGAR,
LAGGERE, BENGALURU - 560058.

...RESPONDENTS

(BY SRI. M.N. NINGARAJA, ADVOCATE FOR C/R1 TO C/R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 29.05.2026 ON I.A.NO.2/2023 VIDE ANNEXURE-A IN CRL. MISC.NO.77/2023 PASSED BY THE HON'BLE COURT OF V ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, AT BENGALURU AND CONSEQUENTLY DISMISS PETITION AND I.A. NO.2/2023 AS PRAYED FOR, IN THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.K.P.Bhuvan, learned counsel for the petitioner as well as Sri.M.N.Ningaraja, learned counsel for the respondents.

2. Seeking the Court to quash the order passed by the Court of V Additional Principal Judge, Family Court, Bengaluru on IA No.II in Crl.Misc.No.77/2023 dated 29.05.2026, this writ petition is filed.



3. As the relationship between the parties is not in dispute, writ petitioner will hereinafter be referred to as father/husband, respondent No.1 as mother/wife, respondent No.2 as minor daughter and respondent No.3 as minor son.

4. Respondents filed a petition invoking Section 125 Cr.P.C which came to be numbered as Crl.Misc.No.77/2023 claiming maintenance from the petitioner herein. They also moved an interlocutory application i.e., IA No.II seeking interim maintenance. The Court of V Additional Principal Judge, Family Court, Bengaluru dealt with the case and rendered orders on IA No.II directing father to pay his minor children a sum of Rs.7,500/- each towards interim maintenance. Aggrieved by the same, this writ petition is filed.

5. Learned counsel for the petitioner submits that petitioner is a driver by profession. He is working in Bengaluru Metropolitan Transportation Corporation



(BMTTC). His gross salary is Rs.42,081/- and his net pay is Rs.22,476/-. Thus out of the meagre sum he receives, he has to maintain his mother, his nephew and niece. His children i.e., respondent Nos.2 and 3 are not residing with him and they are residing with their mother i.e., respondent No.1. Father of respondent No.1 has got vast landed property and he is taking care of each and every necessity of all the respondents. That apart, respondent No.1 is also an employee. Therefore, there is no requirement of claiming any maintenance from the petitioner herein. However, being father, petitioner is willing to pay respondent Nos.2 and 3 a sum of Rs.3,000/- per month towards their maintenance. Learned counsel thereby seeks to modify the impugned order.

6. Per contra learned counsel who represents respondents submits that petitioner suppressed his financial status. Respondent Nos.2 and 3 are school going children and they need lot of amount for their education and maintenance. Therefore, Family Court rightly directed



petitioner to pay respondent Nos.2 and 3 a sum of Rs.7,500/- each per month towards their maintenance and thus this writ petition is not maintainable.

7. As per the version of respondent No.1, she is working as home guard and thereby she is getting Rs.18,000/- per month towards salary. Though it is contended by petitioner that father of respondent No.1 is in possession of huge landed property and that the income derived through said property is being spent for the welfare of respondents, no substantive proof is produced to that effect. Also no material is produced by the petitioner to establish his version that respondent No.1 has got 4 houses out of which she resides in one and has let out other 3 houses. Petitioner failed to establish the agricultural income of respondent No.1. As per the version of petitioner he is spending a sum of Rs.1,00,000/- per annum on his nephew and niece and sum of Rs.60,000/- on his mother. Thus as per his own version, petitioner is spending a sum of Rs.8,333/- per month on his nephew



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and niece. However, before this Court petitioner submits that he can only pay a sum of Rs.3,000/- per month to respondent Nos.2 and 3 who are his own children. No doubt any person according to his choice can spend the amount he earns towards the welfare of his relatives. However, primary liability vests upon that person to attend all the needs of his offsprings i.e., his children. Thereafter he can spend any amount as per his wish towards the maintenance of other relatives. Having considered the contention of petitioner himself that he is spending a sum of Rs.1,00,000/- per annum on his nephew and niece and Rs.60,000/- on his mother, this Court is of the view that he can as well pay a sum of Rs.7,500/- per month for the welfare of his each child which includes their education, food, clothing, extra nourishment, transportation etc. Family Court taking into consideration all the factual aspects, passed a reasoned order fixing Rs.7,500/- to be the amount to be payable by the petitioner for the maintenance of his children i.e., respondent Nos.2 and 3



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each. Therefore, this Court is of the view that there are no merits in this revision petition.

8. Resultantly, the following:

ORDER

(i) The revision petition is *dismissed*.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

NS
CT:TSM
List No.: 1 Sl No.: 26