



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO.171 OF 2021

BETWEEN:

SRI. RANGARAJU R.
S/O RANGASHAYAMAIAH,
AGED ABOUT 42 YEARS,
R/AT CHANDRESHWARI TEMPLE ROAD,
A. K. COLONY, OORUKERE VILLAGE,
KASABA HOBLI, TUMAKURU TALUK,
TUMAKURU DISTRICT-572 106.

...PETITIONER

(BY SRI. V. B. SIDDARAMAIAH, ADVOCATE)

AND:

1. SMT. R. PADMAVATHI
D/O R. RANGARAJU,
AGED ABOUT 20 YEARS,
2. SRI. R. HARSHAVARDHANA
S/O R. RANGARAJU,
AGED ABOUT 14 YEARS,
MINOR: REP. BY HIS MOTHER
SMT. LOKAMMA W/O RANGARAJU R.
AGED ABOUT 38 YEARS,

BOTH THE RESPONDENTS 1 & 2 ARE
R/AT OORUKERE VILLAGE,
KASABA HOBLI, TUMAKURU TALUK,
TUMAKURU DISTRICT-572 106.

...RESPONDENTS

(BY SMT. RENUKA DEVI A. S., ADVOCATE FOR R1)



THIS RPFC IS FILED UNDER SECTION 19(4) OF THE FAMILY COURTS ACT, PRAYING TO SET ASIDE THE JUDGMENT DATED 14.12.2021 PASSED IN CRL. MISC. NO.63/2020 BY THE 1ST ADDITIONAL PRL. JUDGE, FAMILY COURT, AT TUMAKURU, THEREBY DISMISS THE PETITION IN CRL. MISC. NO.63/2020 AND ETC.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

The husband against whom liability is fixed to maintain his children, is before this Court challenging the responsibility imposed. The order under challenge is the one that is rendered by the Court of I Additional Principal Judge, Family Court, Tumakuru in Crl.Misc.No.63/2020 dated 14.12.2021.

2. Wife, minor daughter, who is respondent No.1 herein and minor son, who is respondent No.2 herein, of the revision petitioner filed a petition under Section 125 of Cr.P.C., claiming maintenance. Wife claimed a sum of Rs.5,000/- per month and respondents herein Rs.10,000/- each per month towards maintenance.



3. Rejecting the claim of the wife, Family Court directed revision petitioner to pay children i.e., respondents herein a sum of Rs.5,000/- per month each from the date of filing of the petition till they attain the age of majority and also Rs.3,000/- towards litigation expenses.

4. Heard Sri.V.B.Siddaramaiah, learned counsel for the revision petitioner. Though fair opportunity was given to the respondents to make their submission on the merits of the matter, they could not availed the opportunity granted.

5. Arguing on the merits of the matter, learned counsel for the revision petitioner submitted that the revision petitioner is the father of the respondents. Respondents are residing with their mother. Mother of the respondents left the company of the revision petitioner without justifiable cause and she started living separately along with the respondents herein. She foisted false case against the petitioner. The wife of the petitioner i.e., the



mother of the respondents has got her own source of earnings and she is also maintaining the respondents well. Therefore, there is no requirement for the petitioner to pay any sum to respondents towards maintenance. That apart, petitioner is suffering from Asthma and therefore he is unable to do any work. He, who due to ill-health is not in a position to maintain himself cannot maintain his children i.e., the respondents herein. But, without considering these aspects, Family Court directed the petitioner to pay huge sum of Rs.5,000/- per month each to respondents and therefore, this revision petition is filed. Learned counsel thereby sought to set aside the impugned order.

6. The version of the wife of the petitioner is that the petitioner is maintaining illicit intimacy with one Gowramma and he deserted her and her children. On the other hand, the version of the revision petitioner is that his wife is residing with one Beeranakallu Kantharaju, a rowdy of Tumakuru. However, they failed to establish their pleas by producing any cogent and convincing material before



the Family Court. No doubt, PW.1 i.e., the wife of the petitioner during the course of cross-examination when she examined herself as PW.1 admitted that she is working in Nisha Garments and earns Rs.10,000/- per month. However, that does not mean that she has got the sole responsibility to maintain the children. Also, a sum of Rs.10,000/- will not be enough for her to maintain herself, to impart education to the respondents and to provide good food and to attend other necessities. Petitioner though tried to escape from liability to maintain his children on the ground that he is suffering from Asthma, no convincing material is produced to show that the said ill-health prevents him from doing any work in total and thereby he is deprived of earning anything.

7. Family Court, taking into consideration the totality of the facts and circumstances, directed the petitioner to pay his children i.e., the respondents herein a sum of Rs.5,000/- per month each till they attain the age of majority. Undoubtedly, both the respondents have attained



the age of majority as of now. Hence, this Court is of the view that there are no grounds to interfere with the findings given by the Family Court by which maintenance was granted in favour of respondents. Resultantly following:-

ORDER

- i. The revision petition stands dismissed.
- ii. Arrears if any shall be cleared within three months.

In the light of the disposal of revision petition, the proceedings in I.A No.1/2021 are closed.

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

LG
List No.: 19 SI No.: 1
CT:SI