



CNR: KAHC010532412026

NC: 2026:KHC:42816
WP No. 24125 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 24125 OF 2026 (GM-FC)

BETWEEN:

SMT. LATHA S,
W/O VINAYA KUMAR M L
D/O SHANAKRAPPA
AGED ABOUT 37 YEARS,
WORKING AS A TEACHER
R/O PRATHAMA NILAYA
NEAR GANESH TEMPLE
1ST CROSS, INDIRA BADAVANE
GURUPURA
SHIVAMOGGA - 577 201

WARD: KUMARI CHAISVI GOWDA
AGED BOUT 33 YEARS,
UNDER THE CARE AND COUSTODY OF THE
PETITIONER

Digitally signed
by AASEEFA
PARVEEN

...PETITIONER
(BY SRI. HALLI SHANTAPPA BASAPPA.,ADVOCATE)

Location: HIGH **AND:**
COURT OF
KARNATAKA

VINAYA KUMAR M L
S/O LAXMAN GOWDA
AGED ABOUT 43 YEARS,
WORKING AS PRIVATE SECTOR,
R/O NO.124372
4TH CROSS,
SUBBAIAH COMPLEX - 577 201
HOSAMANE, SHIVAMOGGA

...RESPONDENT



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THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) TO QUASH THE IMPUGNED ORDER DATED 4/4/2026 PASSED BY THE LEARNED PRINCIPAL JUDGE FAMILY COURT AT SHIVAMOGGA, IN G AND W.C.NO.18/2025 ON IA.NO.2/2026 PRODUCED ANNEX-D TO THE WP AND ETC.

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. Halli Shanthappa Basappa, learned counsel for the petitioner.

2. As the petition does not survive for consideration, issuance of notice to respondent is dispensed with.

3. Seeking to quash the order dated 04.04.2026 passed by the Court of Principal Judge, Family Court, Shivamogga on I.A.No.II in G and W.C.No.18/2025, this writ petition is filed.

4. Learned counsel for the petitioner states that petitioner is the mother and respondent is the father of the child Kumari Chaishvi Gowda, who is aged about 3



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years. Respondent/father filed I.A.No.II seeking visitation rights to meet the child. The Family Court, through the impugned order, permitted the respondent/father to visit the child from 02.00 p.m., to 05.00 p.m., on first and third Saturdays of every month and the place of visitation is fixed at the Court premises. Learned counsel states that it is difficult for the petitioner/mother to bring the child from her house to Court on every date of visitation and therefore, the impugned order requires modification. Learned counsel further states that, if the order is modified, permitting the respondent/father to visit the child at the house of the petitioner/mother, it is suffice.

5. The operative portion of the order dated 04.04.2026 reads as under:

" The petitioner-father shall have the right to visit the children from 2.00 p.m., and 5.00 on the 1st and 3rd Saturday of every month till disposal of this case.

The petitioner is entitled to meet the child on the first and third Saturday of every month, either at the respondent's house or at the court premises between 2:00 p.m., and 5:00 p.m.



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It is made it clear that this visitation order is intended to be temporary till the disposal of this case.

Accordingly, I.A.No.2 is disposed off."

6. There is a clear mention in the impugned order that the respondent/father is entitled to meet the child either at the petitioner/mother's house or at the Court premises. Therefore, the petitioner/mother can as well request the respondent/father to visit the child at her house. As the impugned order makes it clear that the place of visitation can also be at the petitioner/mother's house, this Court is of the view that no further directions, in this regard, are required to be issued through this writ petition. Also in case, the respondent/father exhibits reluctance to visit her house and if the petitioner/mother faces difficulty to bring the child to the Court on the dates of visitation, she can as well bring the same to the notice of the Court of Principal Judge, Family Court, Shivamogga. Without doing so, filing of this writ petition is undesirable.



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7. Therefore, this Court is of the view that the writ petition is liable to be dismissed. Resultantly, the following:

ORDER

- i) The Writ Petition is ***dismissed***.
- ii) As the petition is disposed of without issuing the notice to the respondent/father, the Court of Principal Judge, Family Court, Shivamogga, is directed to serve a copy of this order to the respondent/father or his counsel.
- iii) Registry to forward copy of this order to the concerned Court forthwith.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

PHM
List No.: 1 Sl No.: 26