



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.28782 OF 2025 (GM-FC)

BETWEEN:

R. SRINIVASA,
S/O LATE Y. H. RANGASWAMYNAIKA,
AGED ABOUT 49 YEARS,
R/A SRI LAKSHMIKANTHA NILAYA,
RANGAPPA EXTENSION,
KUDERU ROAD, SANTHEMARAHALI VILLAGE,
YALANDURU TALUK,
CHAMARAJANAGARA DIST - 571313

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

...PETITIONER
(BY SRI. GIRISH B. BALADARE, ADVOCATE)

AND:

N. SHIVAKUMARI,
W/O. R. SRINIVASA
AGE ABOUT 36 YEARS,
R/A OPPOSITE TO MARKET,



CHAMALAPURA STREET,
NANJANAGUD TOWN,
MYSURU DIST - 571301

...RESPONDENT

(BY SMT. S. SUMATHI, ADVOCATE FOR
SMT. PRIYA N., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
ANNEXURE-E THAT IS THE ORDER DATED 01.02.2025 PASSED
ON I.A.No.1 BY THE SENIOR CIVIL JUDGE AND JMFC AT
NANJANGUDU IN MC NO. 32/2021.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



ORAL ORDER

Heard Sri.Girish B Baladare learned counsel for the petitioner as well as Ms.S.Sumathi learned counsel for the respondent.

2. Being aggrieved by the order passed by the Court of Senior Civil Judge, Nanjangud, on I.A.No.I in M.C.No.32/2021 dated 01.02.2025 and with a request to quash the said order, this writ petition is filed.

3. As per the material available on record, respondent herein filed M.C.No.32/2021 against her husband i.e., petitioner herein for restitution of conjugal rights. In the said case, she also filed an interlocutory application vide I.A.No.I seeking interim maintenance. The Court of Senior Civil Judge, Nanjangud passed orders directing petitioner herein to pay respondent a sum of Rs.9,000/- per month towards interim maintenance. Aggrieved by the same, husband filed present writ petition.



4. Learned counsel for the petitioner submits that the child born out of lawful wedlock, who is aged around 12 years is residing with petitioner only. The child is studying 7th standard and petitioner is looking after the welfare of the child, is paying the school fee and is meeting all allied expenses. Petitioner filed a petition seeking decree of divorce and in the said case respondent was granted Rs.600/- per month towards maintenance. He also paid the litigation expenses of Rs.3,000/-. Petitioner is working as teacher and he gets around Rs.60,000/- per month as salary. Out of said amount, he has to pay the dues, has to incur the expenditure required for his child, he has to look after his parents and thus, nothing will be left for him to pay as maintenance to respondent. The Court without considering these aspects directed petitioner to pay huge sum of Rs.9,000/- per month towards interim maintenance which is unjustifiable.

5. On the other hand, learned counsel for respondent submits that the gross salary of petitioner is Rs.90,000/- and odd. Respondent has no source of earnings



and there are none to look after her. Though respondent is receiving Rs.600/- per month towards maintenance, the said amount is not sufficient for her to maintain herself. The trial Court rightly directed petitioner to pay respondent a sum of Rs.9,000/- per month towards interim maintenance and thus, writ petition is not maintainable.

6. Admittedly, out of the amount which petitioner receives as salary, he is paying Rs.2,620/- for LIC, Rs.200/- towards income tax, Rs.240/- towards GIS, Rs.10,000/- towards GPF, Rs.12,050/- towards GPF loan, Rs.4,000/- to KGID and Rs.8,000/- towards KGID loan. Thus, take home salary as per the statement furnished by respondent herself is Rs.60,483/-. Out of the said amount, undisputedly, petitioner has to incur all the required expenditure for the child. That apart, petitioner is required to maintain himself. Hence, this Court is of the view that the amount granted towards interim maintenance is excessive. This Court considers that the interest of both parties will be protected in case petitioner is directed to pay respondent a sum of



Rs.6,000/- per month towards interim maintenance.

Therefore, the writ petition is disposed of with the following:

ORDER

- (i) The order that is rendered by the Court of Senior Civil Judge, Nanjanagud on I.A.No.I in M.C.No.32/2021 dated 01.02.2025 is modified.
- (ii) Petitioner/respondent is directed to pay respondent/petitioner a sum of Rs.6,000/- per month towards interim maintenance from the date of filing of main petition until further orders by the concerned Court.
- (iii) All arrears to be cleared within three months.
- (iv) Writ petition is accordingly disposed of.

In the light of the disposal of writ petition itself, the proceedings in I.A.No.1/2026 are closed.

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