



CNR: KAHC010641902026

NC: 2026:KHC:55302
WP No. 29393 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 29393 OF 2026 (GM-FC)

BETWEEN:

SMT.SREE KEERTHI
W/O MANOJ KUMAR RAJU K.,
AGED ABOUT 31 YEARS,
R/AT NO.12-4-651-1,
ADARSH NAGAR,
ANATHAPURAMA-515 001,
ANDHRA PRADESH

...PETITIONER

(BY SRI.P.N.NANJA REDDY, ADVOCATE)

AND:

SRI.MANOJ KUMAR RAJU K.,
S/O SAMUEL RAJU K.,
AGED ABOUT 34 YEARS,
R/AT NO.A-303, 3RD FLOOR,
CONCORDE AURIGA,
OLD MADRAS ROAD,
MEDAHALLI, K.R.PURAM,
BENGALURU-560 049

...RESPONDENT

(BY SRI. JAMUNA BAI R., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER QUASHING THE ORDER DATED 04.07.2026 AND 06.08.2026 PASSED IN G AND W.C NO.89/2026 (ANNEXURE-G) PENDING ON THE FILE OF THE IV ADDL. SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU AS THE SAME IS



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ILLEGAL, ARBITRARY AND CONTRARY TO THE PROVISIONS OF THE GUARDIANS AND WARDS ACT, 1890.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the orders dated 04.07.2026 and 06.08.2026 passed in G & WC No.89/2026 by the IV Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru, the petitioner/mother is before this Court.

2. The respondent/father has filed a petition seeking to appoint the father as a guardian of the minor son, aged about 1 year 6 months, and permanent custody of the minor son. The trial Court, by the impugned order, has passed an order restraining the mother from taking the minor child, aged about 1 year 6 months, from the custody of the father, without due process of law in any manner till the next date of hearing. Aggrieved thereby the mother is before this court.

3. Learned counsel appearing for the petitioner/mother submits that the boy is aged about 1 year 6 months and there cannot be any injunction of this nature and the order is bereft



of reasons. Learned counsel appearing for the petitioner/mother further submits that she is staying along with her parents and in fact she can take care of the child.

4. Learned counsel appearing for the respondent/father submits that the mother was studying and she left the child and now also she is a doctor doing rural practice and she has no time to take care of the child.

5. Having heard the learned counsels on either side, perused the material on record. The trial Court has passed an order as if it is dealing with the injunction suit in respect of a property. The trial Court cannot pass such an injunction order, and the order is bereft of reasons. Why the mother shall be kept away from a boy of 1 year 6 months, this court is not able to understand. Even the reason or the submission of the learned counsel for the respondent that the child is not interested to go to the mother appears to be a very strange submission. This court is unable to appreciate how a child aged 1 year 6 months will be reluctant to go to the mother. A child of this age cannot be kept away from the mother and the trial



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Court ought not to have passed these kind of orders without giving any reasons.

6. In that view of the matter, this Court is passing the following:

ORDER

- i. The order dated 04.07.2026 & 06.08.2026 passed in G & WC No.89/2026 by the IV Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru, is ***set aside.***
- ii. Accordingly, the writ petition is ***Allowed.***
- iii. Pending IAs., in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

TS
List No.: 1 Sl No.: 57
MR