



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 32623 OF 2025 (GM-FC)

BETWEEN:

SRI K C NAGARAJU
S/O. CHIKKABOREGOWDA,
AGED ABOUT 48 YEARS,
GROUND FLOOR, NELAGULI,
BOLARE POST,
RESIDING AT NO. 115,
KANAKAPURA MAIN ROAD,
BENGALURU-560 062.

...PETITIONER

(BY SRI. B VIJAY SHETTY.,ADVOCATE)

AND:

SMT C P NANDINI
W/O. SRI.K.C.NAGARAJU,
D/O. PUTTASWAMEGOWDA,
AGED ABOUT 41 YEARS,
R/AT. HOUSE NO. 208,
I MAIN ROAD,
OPPOSITE TO PURVA CORONATION
SQUARE APARTMENTS,
BEHIND GOVT. SCHOOL AND SHIVA TEMPLE,
PUTTENAHALLI PALYA,
J.P.NAGAR 7TH PHASE,

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



BENGALURU-560 078.

...RESPONDENT

(BY SRI. SURESH JAGANNATH, ADVOCATE FOR
SRI. KUMARA K G.,ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS AND SET ASIDE THE ORDER PASSED BY THE HONBLE PRINCIPAL JUDGE, FAMILY COURT, BENGALURU IN M.C. NO. 7042/2023 DATED 20.09.2025 PASSED ON I.A. NO. 4, FILED BY THE RESPONDENT UNDER SECTION 24 OF THE HINDU MARRIAGE ACT, 1955, WHICH DIRECTED THE PETITIONER TO PAY AN AMOUNT OF RS.10,000/- PER MONTH TO EACH RESPONDENT AND HER MINOR DAUGHTER GUNALAKSHMI N FROM THE DATE OF APPLICATION TILL THE DISPOSAL OF THE PETITION AND ALSO DIRECTED TO PAY LITIGATION EXPENSES OF RS.10,000/- TO THE RESPONDENT, AND THEREBY TO DISMISS THE SAID APPLICATION VIDE ANNEXURE-A.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



ORAL ORDER

Seeking the Court to set aside the order rendered by the Court of Principal Judge, Family Court, Bengaluru on IA No.IV in MC No.7042/2023 dated 20.09.2025, respondent to the said interlocutory application filed this writ petition. On 02.06.2026, the submission made by Sri.B.Vijay Shetty, learned counsel for the petitioner was heard regarding the merits of the matter. Though sufficient time and opportunities were granted to the respondent to make her submission, respondent could not utilise those opportunities.

2. As the status of parties is not in dispute, the writ petitioner will hereinafter be referred to as husband and the respondent as wife.

3. In the proceedings that are pending before the Court of Principal Judge, Family Court, Bengaluru as MC No.7042/2023, wife moved an application seeking the Court to direct her husband to pay her a sum of



Rs.20,000/- per month, her daughter a sum of Rs.20,000/- per month towards interim maintenance and Rs.50,000/- towards litigation expenses. Family Court through the impugned order directed petitioner/husband to pay respondent/wife and their minor daughter a sum of Rs.10,000/- per month each apart from Rs.10,000/- towards litigation expenses. Aggrieved by the liability thus imposed, petitioner/husband filed this writ petition.

4. Arguing the matter, learned counsel for the petitioner stated that respondent/wife is in the habit of leading lavish life. Respondent/wife left the company of the petitioner without valid reasons. Petitioner filed a case seeking restitution of conjugal rights. An order in his favour was passed by the competent Court, but respondent/wife failed to join the petitioner and thereby disobeyed the order passed. Learned counsel submitted that respondent/wife projected as if she has no source of earnings. However, she suppressed the material facts. Respondent is an employee. Further she resides in her



own house and is doing money lending business. On the other hand petitioner has no source of earnings. While the son stays with the petitioner/husband, daughter resides with the respondent/wife. Therefore, directing the petitioner to pay respondent and the daughter huge sum towards maintenance is undesirable. Learned counsel also contended that respondent suppressed the bank accounts she holds, therefore, she is not entitled for any interim maintenance.

5. The version of the respondent/wife as borne by record is that her marriage with the petitioner was performed in the year 2000, in the year 2001 she gave birth to a male child and in the year 2008 she gave birth to a female child. Petitioner/husband is a chronic alcoholic and he used to quarrel with her frequently. Though a decree was passed in respect of restitution of conjugal rights, petitioner/husband did not evince any interest in taking her back. She is working as house maid and with the meagre amount she gets, she is maintaining herself



and her daughter. On the other hand her husband owns two auto rickshaws, lives in his own house and earns Rs.80,000/- per month through the auto rickshaws and agriculture.

6. Family Court discussed in detail with regard to the assets and liabilities of the parties to the proceedings and their respective occupation. In the affidavit filed disclosing his assets and liabilities, petitioner/husband made a mention that he is residing in his own house. He also mentioned that his mother, father and son are depending upon him. However, he made a mention that his parents get a sum of Rs.10,000/- through agriculture. He stated that he is a auto rickshaw driver and his monthly income is Rs.25,000/-. He further stated that he purchased a house worth Rs.16,00,000/-, he possesses an auto rickshaw worth Rs.70,000/- and a bike worth Rs.5,000/-. He also stated that out of 2 acres 37 guntas of land which is being enjoyed exclusively by his parents, he has got a share. In his statement of assets and liabilities,



he mentioned that his wife is working as cook, staying in rented house but owns a house and a two wheeler. He also mentioned that wife is earning interest by giving hand loans.

7. Coming to the affidavit given in respect of her assets and liabilities, the respondent/wife made a mention that she holds an account at Indian Overseas Bank. She also mentioned that she is involved in housekeeping and she earns Rs.12,000/- per month. In respect of her husband she mentioned that her husband owns two auto rickshaws and also gets agricultural income totalling Rs.80,000/- per month, resides in his own house, is in possession of 2 1/2 acres of land and also farmhouse. Respondent/wife failed to produce any substantive proof to show that petitioner/husband earns Rs.80,000/- as contended by her.

8. As per the version of the petitioner, his income is around Rs.25,000/- per month. Thus considering the



occupation of the parties to the proceedings, their earnings and the obligation on the part of the petitioner to maintain his parents, this Court is of the view that there is justification in the submission that is made by learned counsel for the petitioner that the amount ordered to be paid to the respondent and the daughter towards interim maintenance is excessive.

9. Taking into consideration the totality of facts and circumstances and the material produced, this Court is of the considered view that respondent/wife is entitled to a sum of Rs.4,000/- and the minor daughter a sum of Rs.5,000/- per month towards interim maintenance.

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

ORDER

- (i) The order that is rendered by the Court of Principal Judge, Family Court, Bengaluru on



IA No.IV in MC No.7042/2023 dated 20.09.2025 is modified.

- (ii) Petitioner/husband is directed to pay respondent/wife a sum of Rs.4,000/- per month towards interim maintenance from the date of filing of IA No.IV until further orders by the Family Court.
- (iii) Petitioner is also directed to pay his minor daughter Kum.Gunalakshmi.N, a sum of Rs.5,000/- per month from the date of filing of IA No.IV till she becomes financially independent or till her marriage or until further orders by the competent Court.
- (iv) Petitioner shall also pay respondent a sum of Rs.5,000/- towards interim litigation expenses.
- (v) Writ petition is accordingly disposed of.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE