IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 30307 OF 2025 (GM-FC)

BETWEEN:

1. SANGEETHA ASHOK

   AGE ABOUT 31 YEARS

   D/O ASHOK NAGAPPA

   R/AT NO.9/1, SONAPPA LAYOUT

   THINDLUL, BENGALURUL-560097.

Digitally signed by MEGHA MOHAN
Location: HIGH COURT OF KARNATAKA

2. MR. MAHEDEVA @ YEGURI MAHADEVA

   AGE ABOUT 33 YEARS

   S/O YEGURU MALAKONDIAH

   R/AT ARUMDATHI WADA

   KAMMAPALEM, BOGOLU

   BITRAGUNTA, NELLORE

ANDHRA PRADESH- 534142.

…PETITIONERS
(BY SRI. HARSHITH N BALAKRISHNA, ADVOCATE)

AND:

NIL

…RESPONDENT

THIS PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 14.08.2025, ANNEX-A PASSED BY THE II ADDL. PRINCIPAL JUDGE FAMILY COURT AT BENGALURU IN MC NO.5040/2025 WHEREIN THE IA NO.3/25 FILED BY THE PETITIONERS FOR SEEKING WAIVER WAS DISMISSED AND CONSEQUENTLY ALLOW THE APPLICATION.

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 order passed in I.A.No.3 in M.C.No.5040/2025 dated 14.08.2025 by the II Addl. Principal Judge, Family Court, Bengaluru, whereby I.A.No.3/2025 filed by the wife under Section 13B of the Hindu Marriage Act, 1955 read with Section 10 of Family Courts Act is dismissed and directed the matter to be called after expiry of statutory cooling period of six months by 10.02.2026 the parties are before this court.

2. Learned counsel appearing for the petitioner submits that the Family Court without considering the case of petitioner and the application that is filed had passed this order and the Family Court ought to have allowed I.A.No.3.

3. Having heard the learned counsel for the petitioner, perused the order impugned. The Family Court had passed the order impugned and had observed that even for the sake of arguments if the application is considered under Section 10A(2), then also, as noted above, it is the case of the petitioners themselves that their marriage was solemnized on 18.05.2024 and in the wedlock, they have a female child, who

is born on 02.04.2025. But it is their contention that they are residing separately for more than a year which cannot be accepted in view of the pleading of the petitioners themselves. Therefore, in the circumstance of the case it appeared that it is not proper to dispense the mandate cooling period of six months. Hence, the order is passed. The Family Court had rightly considered and passed the order and this Court do not find any reasons to interfere with the order impugned passed by the Family Court. Hence, this Court is passing the following:

ORDER

i. Accordingly, the writ petition is ***dismissed***.

ii. All I.As., in the writ petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BN
CT:bms
List No.: 1 Sl No.: 46