



CNR: KAHC010028852026

NC: 2026:KHC:40326
RPFC No. 9 of 2026



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 9 OF 2026

BETWEEN:

...PETITIONER

(BY SRI. SHIVAMURTHY, ADVOCATE FOR
SRI. S. KUMAR, ADVOCATE)

AND:

1.



2.



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...RESPONDENTS

(V/O. DATED 28.07.2026,
NOTICE TO R1 IS HELD SUFFICIENT AND SERVED;
R2 MINOR REP. BY R1)

THIS RPFC FILED UNDER SEC.19(4) OF THE FAMILY COURTS ACT, AGAINST THE ORDER DATED 05.11.2025 PASSED IN CRL.MISC.NO.6/2025 ON THE FILE OF THE I ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, TUMAKURU, PARTLY ALLOWING THE PETITION FILED UNDER SEC.144(1) OF B.N.S.S. 2023 FOR MAINTENANCE.

THIS PETITION, COMING ON FOR 'PART-HEARD' IN ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

Heard Sri.Shivamurthy, who represents
learned counsel on record for the petitioner. Proof of
service of notice upon respondents is on record.
Respondents have not chosen to contest the case.

2. Challenge in this revision petition is the order
that is rendered by the Court of I Additional Principal



Judge, Family Court, Tumakuru in CrI.Misc.No.6/2025 dated 05.11.2025.

3. Respondent No.1 being the wife, respondent No.2 being the minor daughter of the petitioner herein filed a petition invoking Section 144 of Bharatiya Nagarika Suraksha Sanhita, 2023 seeking a direction to the petitioner herein to pay them a sum of Rs.30,000/- towards maintenance.

4. Family Court through the impugned order, directed petitioner to pay respondent No.1/wife a sum of Rs.5,000/- per month towards her maintenance and Rs.4,000/- per month towards maintenance of respondent No.2/minor daughter. Projecting that sum thus awarded towards maintenance is exorbitant, this revision petition came to be filed.

5. Learned counsel for the petitioner submits that Respondent No.1 left matrimonial home voluntarily taking respondent No.2 with her. Petitioner never neglected or



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refused to maintain the respondents. Petitioner ekes out his livelihood by doing coolie work. He has to maintain his parents also. Hence, petitioner is not in a position to pay huge sum of Rs.5,000/- towards maintenance of respondent No.1/wife and Rs.4,000/- per month towards maintenance of respondent No.2/daughter. Therefore, this revision petition is filed seeking to modify the impugned order. Learned counsel thereby seeks to dispose of the revision petition modifying the terms and conditions of the impugned order.

6. As per the version of respondents, petitioner and respondent No.1 lived happily for about 2 years. However, she was abused by the petitioner herein and his family members and was assaulted for simple and silly reasons. Further respondent No.1 was tortured to bring more money. Also petitioner cultivated the habits of gambling and consuming alcohol and thereby he used to assault respondent No.1 several times and she was also



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injured. Respondent No.1 also contended that petitioner herein filed a petition seeking divorce. But in spite of all the torture she met, she is ready to join the petitioner and perform her marital obligations.

7. Coming to the stand taken by the petitioner herein, he contended that he and respondent No.1 lived happily for first six months of marriage. After that respondent No.1/wife changed her attitude towards her father-in-law and mother-in-law. She failed to do household work and did not look after her father-in-law and mother-in-law. Further, she without his permission and the permission of his parents had gone to her parents house many times. The contentions raised in this regard as found in the statement of objections is reproduced:

"The respondent and 1st petitioner are living happily in first six months of the marriage. After that, the 1st petitioner is changed her attitude towards father-in law and mother in law and she is not doing her household work and not looking after father-in-law and mother-in-law. The 1st petitioner without permission of the respondent and his parents she has gone to her parents house many times."



8. The above averments will certainly make anyone with minimum amount of common sense feel as if the petitioner/husband as an employer employed respondent No.1 to do household chores and to look after his parents. His version that his wife i.e., respondent No.1 herein has left the house without his permission and the permission of his parents and had gone to her parents house reveals the mindset of the petitioner and exhibits his desire to command and control the behaviour and wishes of his wife i.e., the first respondent herein.

9. This Court does not understand why an Indian woman is required to take permission of all present at her matrimonial home to fulfil her basic desire of visiting her parents house as and when she wish and feels to go. This Court is of the view that anyone including husband cannot command and demand any female including his wife to do the household activities and to look after, his parents. Household activities have to be shared by men and women



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equally. If the parents are required to be looked after, the primary duty vests upon the son or daughter as the case may be, but not the son-in-law or daughter-in-law. Looking after the in-laws, either by the son-in-law or by daughter-in-law, should be a voluntarily act, but not by force.

10. Therefore, this Court holds that respondent No.1 has got sufficient cause to leave the company of the petitioner/husband.

11. Marriage is a sacred and beautiful bond that brings two individuals together. By Performing ceremonies, they become merely husband and wife. But with love, trust, respect, mutual support and understanding the feelings of the other, they become soulmates, companions, friends and partners in the journey of life.

12. A woman has got fundamental and absolute right to make decisions concerning her career, finances,



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etc., Husband cannot compel wife or coerce her to live according to his wishes and expectations. Marriage is not a license to control, command, dominate or conquer the individuality, freedom and will of the other party.

13. Wife's dedication to family can never be measured by obedience and submission. Marriage is not a relationship between unequals. Any attempt or venture to deprive the autonomy of woman or to restrict her liberty merely basing on gender is contrary to the principles of equality and against the constitutional spirit of human dignity and social justice.

14. Coming to quantum, Family Court taking into consideration all the factual aspects, directed petitioner to pay respondent No.1/wife sum of Rs.5,000/- per month and respondent No.2/minor daughter a sum of Rs.4,000/- per month. Thus, the total amount which petitioner is under obligation to pay respondents is Rs.9,000/- per month which comes to Rs.300/- per day. Thus, as per the



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order of the Family Court a sum of Rs.300/- per day is directed to be paid by the petitioner herein for the maintenance of two persons i.e., Rs.150/- each. In the present day scenario, price escalation and cost of living Rs.150/- per head per day will not be sufficient for eking out livelihood atleast with minimum standards. The petitioner is before this court seeking further reduction. However, in the light of the discussion that went on supra, this Court does not find any grounds either for setting aside or modifying the impugned order. Thus, this Court ultimately holds that the revision petition lacks merits.

Resultantly, the revision petition is dismissed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 10