



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 15632 OF 2026 (GM-FC)

BETWEEN:

SRI. SREENATH HANDATTU BALARAMU
S/O LATE H N BALARAMU
AGED ABOUT 40 YEARS,
R/AT NO.N1604
MANTRI SERENITY
KANAKAPURA ROAD
DODDAKALSANDRA
BENGALURU-560062

...PETITIONER

(BY SRI. HARSHA SWAROOP P AND
SRI. ADITHYA KARTHIK K, ADVOCATES)

AND:

SMT. LAKSHMI SREENATH
W/O SRI SREENATH HANDATTU BALARAMU
AGED ABOUT 37 YEARS,
R/AT FLAT NO.308,
SOVEREIGN PARK APARTMENTS
K R ROAD, BASAVANAGUDI
BANGALORE SOUTH
DIST BENGALURU
KARNATAKA-560004

...RESPONDENT

(BY SRI. SIDDHARTHA D. K, ADVOCATE)





THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 30.04.2026 PASSED ON IA NO. 11 IN G AND WC NO. 453/2023 BY THE HONBLE II ADDL. PRL. JUDGE FAMILY COURT BENGALURU (ANNX-A) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

1. The present petition is filed seeking to impugn an order dated 30.04.2026 passed on IA No.11 whereunder the Family Court ordered as under:

"IA. No. 11 filed by the petitioner under Section 12 of the Guardians and Wards Act of 1890 read with Section 151 of CPC is hereby allowed in part.

Consequently, the petitioner shall have visitation rights of the minor daughter Amrita during this summer vacation from 6:00p.m. on 15.05.2026 to 6:00p.m. on 30.05.2026.

The petitioner shall have 50% of all school vacations in future whenever it is more than 4 days convenient to both the parties in particular to the minor child.

The respondent shall have communication rights with the minor child i.e., to have audio/video call during the above interim custody of the minor child with the petitioner, for 20 minutes on alternate days in between 7:00p.m. and 8:00p.m. with prior intimation to the petitioner.



The petitioner shall pick up and drop the minor daughter at the residence of the respondent.

Both the parties shall co-operate and co-ordinate with each other harmoniously during the above interim custody of the minor child with the petitioner, as responsible parents. "

2. It is clear and forthcoming that the said order was passed by consent given by the petitioner. The said aspect of the matter is forthcoming from para 9 of the order which reads as under:

"9. However, he himself has pleaded that he is willing to extend visitation rights to the petitioner from 15.05.2026 evening 6.00 p.m. to 24.05.2026 evening 5.00 p.m. for continuous period of 10 days, after completion of child's scheduled programs."

3. The petitioner having agreed to extend visitation rights from 15.05.2026 at 06.00 p.m. has subsequently filed the present writ petition on 18.05.2026. No answer is forthcoming as to the reason why the visitation rights was not extended to the respondent-mother on 15.05.2026 at 06.00 p.m.



4. The filing of the present writ petition on 18.05.2026 by the petitioner despite having consented to the respondent having visitation rights of their daughter from 15.05.2026, is clearly an attempt by the petitioner to over-reach the orders passed by the Family Court and not to comply with the same. The filing of the present writ petition is clearly an abuse of the process of this Court.

5. In view of the aforementioned, on the sole ground that an order which was passed by consent of the petitioner has not been complied with, this Court deems it expedient not to exercise the extraordinary discretionary jurisdiction contained under Article 227 of the Constitution of India.

6. Accordingly, the present writ petition is dismissed.

7. Pending applications, if any stand disposed of.

Sd/-
(C.M. POONACHA)
JUDGE

Vmb
List No.: 2 Sl No.: 82