HC-KAR

NC: 2026:KHC:55301
WP No. 22671 of 2026

CNR: KAHC010501452026

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. 22671 OF 2026 (GM-FC)

BETWEEN:

SRI. KALVAKURI DHANUNJAY NAIDU
AGED ABOUT 36 YEARS,
S/O SRI. K. BRAMHAIAH KALVAKURI,
R/O. C/O. SRI. K. BRAMHAIAH KALVAKURI,
NO. 1-4-33/A, VENKATESHWARA COLONY,
GADWAL, 2 RAILWAY GET, GADWAL (RURAL),
MAHABUDNAGAR,
TELANGANA-509 125

…PETITIONER

(BY SRI. THEJAS M.R., ADVOCATE)

AND:

1. KUM. DIYA KALVAKURI
REP. BY HER NATURAL GUARDIAN
MOTHER SMT. NIKHITA P.

2. SMT. NIKHITA P
AGED ABOUT 32 YEARS,
D/O SRI. POLTLURI VENKATA KRISHNA RAO,
RESIDING AT FLAT NO. G13,
RAGAVENDRA AKASH APT,
KAMADENU LAYOUT,
GOVINA SHETTY PALYA,
ELECTONIC CITY PHASE 2,
BENGALURU- 560 100.

…RESPONDENTS

(BY SRI. N. GOWTHAM RAGHUNATH, ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH PROCEEDINGS IN CRL MISC NO. 451/2026 FILED UNDER SECTION 144 BNSS, 2023 PENDING BEFORE THE HONBLE III ADDL. PRL. JUDGE FAMILY COURT, BENGALURU, KARNATAKA, VIDE ANNEXURE A.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayer:

i. Issue a writ, order or direction in the nature of Certiorari or any other appropriate writ, order or direction to quash proceedings in Crl.Misc.No.451/2026 filed under Section 144 BNSS, 2023 pending before the Hon'ble III Addl. Prl. Judge, Family Court, Bengaluru, Karnataka vide Annexure-A.

ii. Pass any order/s as this Hon'ble Court deems fit in the interest of justice.

2. Learned counsel for the petitioner has argued on the merits of the matter how the execution proceedings are filed and how they are not maintainable.

3. Learned counsel for the respondent submits that if they have any objections, they must file them before the Family Court, but they cannot come before the High Court.

4. Having heard the learned counsels on either side, perused the entire material on record. This court finds force in the argument of the learned counsel for the respondent. If the petitioner is of the view that the said execution proceedings are not maintainable he should have filed an appropriate application before the Family Court and the court would consider the same in accordance with law. Petitioner cannot come before this court seeking such a prayer. Accordingly, this court is passing the following:

ORDER

i. The writ petition is ***disposed of***, giving liberty to the petitioner to avail the appropriate remedy.

ii. All contentions are kept open.

iii. Pending IAs., in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

TS
List No.: 1 Sl No.: 55
*MR