

BEFORE THE HONOURABLE PRINCIPAL JUDGE, FAMILY
COURT, AT BENGALURU

CRL.MISC. NO. /2024

BETWEEN:

1. Mrs. Shylaja Rajkumar

W/o Rajakumar C Nadar
Aged about 44 Years
R/o No.29, Keerthana Nilayam,
Devaki Apparao Layout,
Near Sai Smruthi Apartment,
Ramamurthynagar, Doorvaninagar,
Bangalore North,
Bangalore- 560016
Currently R/at No.32,
Shylaja Nilayam, 1st Cross,
Ramakrishna Layout, Ramamurthy Nagar,
Bengaluru- 560016
Ph. No.+91 9741547927
Occupation - House wife

2. R. Keerthana

Aged about 20 years,
D/o. Rajakumar C Nadar
Currently R/at No.32,
Shylaja Nilayam, 1st Cross,
Ramakrishna Layout, Ramamurthy Nagar,
Bengaluru- 560016
Occupation: Student

3. Navaneeth Rajakumar

Aged about 11 years
D/o. Rajakumar C Nadar
Occupation: Student

(3rd petitioner being minor represented by their natural guardian
mother that is 1st petitioner herein above)

PETITIONERS

AND

Mr. Rajakumar C Nadar

S/o Chellakkan Nadar
Aged about 52 years
R/o 29, Keerthana Nilayam,
Devaki Apparao Layout,
Near Sai Smruthi Apartment,
Ramamurthynagar, Doorvaninagar,
Bangalore North,
Bangalore- 560016

Also at: No.32, Shylaja Nilayam,
1st Cross, Ramakrishna Layout,
Ramamurthy Nagar,
Bengaluru- 560016

Also at: No.4/25, Chellaham,
Alwarcoil Junction, Neyyoor Post,
Eraniel Village, Kalkulam Taluk,
Kanyakumari Dist.
Tamil Nadu- 629802
Ph.9591035149

RESPONDENT

**MEMORANDUM OF PETITION FILED UNDER SEC. 144 (a)
(b) OF BHARATIYA NAGARIK SURAKSHA SANHITA**

1. The petitioner submits that, the address of the petitioner for the purpose of services of summons, notices etc., from this Honourable Court is as mentioned in the cause-title above which is true and correct. The petitioner is also represented by their counsels, **VSK AND CO., ADVOCATES & LEGAL CONSULTANTS, having their office at #5C-316, JBJ Complex, 2nd Floor, Opp. Indian Petrol Bunk, Above Airtel Store, East of NGEF Layout, Ramamurthy Nagar main road, Bangalore – 560 016.**
2. The address of the Respondent for similar purpose is as shown in the cause title above.
3. It is submitted that the Petitioner is a wife and Respondent is a husband. Their marriage is an arranged marriage. It is respectfully submitted that marriage between the Petitioner and the Respondent was solemnized on **21-06-2002 at Asarivilai village, Kurunthancodu, Kalkulam Taluk, Kanyakumari Dist., Tamil Nadu** as per Hindu rites and customs, in the presence of their relatives and friends. The marriage has been registered on **01-07-2002 as Register No.11/2002** before the sub- registrar of Marriage, Eraniel, Tamil Nadu. The copy of marriage registration certificate is herewith produced as **Document No.1**; the **original** joint photographs of the Petitioner and Respondent are herewith produced as **Document No.2**. the copy of Aadhar card of the Petitioner and the copy of birth certificate of children are

herewith produced as **Document No.3,4 & 5** for the kind perusal of this Hon'ble Court.

4. The Petitioner submits that after marriage, the couple began to live as husband and wife to lead their marital life happily in the matrimonial home at Bengaluru. Out of their wedlock they have one daughter by name R. Keerthana born on 24/09/2004 and one son by name Navaneeth Rajakumar born on 14/05/2013. The copy of Birth certificate of the children is herewith produced as **Document No.5 & 6**. Both children are in the custody of the Petitioner.
5. The marriage between the Petitioner and the Respondent is an arranged marriage. The Petitioner submits that after marriage, the couple began to live as husband and wife to lead their marital life happily in the matrimonial home at Bengaluru.
6. The Petitioner further submits that, she has suffered in deep pain from the beginning of this relationship and it gradually increased after the birth of the first child and feels she is rundown financially, emotionally, sexually, physically, and spiritually. The Respondent has displayed multiple discords at home and bound the Petitioner in emotional tangles not allowing her to live a happy married life. All the dreams that Petitioner carried of marital life are completely shattered by the Respondent leaving no option but to explore a legal route.
7. The Petitioner avers that; she has faced multiple challenges in this marital relationship. The respondent would directly and indirectly demand dowry from the petitioner and her family members. It is pertinent to mention that all the demands put forth by the respondents were fulfilled by the petitioner. The demands were so frequent that the Petitioner was unable to save any amount for herself and their children.
8. The Petitioner submits that, though the marital life between the petitioner and respondent was not cordial in the beginning. The respondent later developed some sort of prejudice against the

Petitioner. The Respondent started behaving strangely attributing cruelty upon the Petitioner. The Respondent remained abusive towards the Petitioner throughout most of the marital life. On account of his behavior there was no peace in the matrimonial home.

- 9.** It is further submitted that, from the inception of marriage, the respondent has very neglective attitude towards the Petitioner and his children. The respondent would fight for trivial issues for no reason. The Respondent without informing the Petitioner, took petitioner's valuables, Jewelleries and sold it and handed it over the money to his sister's husband for his business. The Respondent also forced Petitioner to sell some of her gold jewels. The respondent would not allow the petitioner to use her jewelry, he always forced the petitioner to keep her things with him and he would not let the petitioner to keep her things in her own cupboard.
- 10.** That at the time of marriage the Petitioner and her parents gave 100 sovereigns of gold jewels, sum of Rs.3,00,000/- and household articles worth of Rs.2,00,000/- to the Respondent as a dowry. The Respondent and his family members were not satisfied with the dowry given at the time of marriage and started demanding more dowry from the Petitioner and her family. The Respondent insisted the Petitioner to sell her father's property and give it as a dowry, with this act of the Respondent, Petitioner was shattered into pieces.
- 11.** The petitioner is deprived of her rights of being legally wedded wife. Under the strained feelings, the petitioner is undergoing lot of problems, practical inconveniences and difficulties in eking out her livelihood and to maintain herself.
- 12.** It is submitted that the Respondent is having a habit of suspecting the Petitioner, this caused mental stress to the Petitioner. The Respondent started behaving strange from the year 2005. The Respondent in the influence of alcohol he had strangulated her neck by pressing hard and assaulted brutally.

Because of this act of the Respondent, the Petitioner undergone severe pain on her neck and other part of her body.

- 13.** That respondent has no concern for the petitioner; he is not even discharging his marital obligations towards petitioner and the children. The respondent does not give any financial support to petitioner for running the house and maintaining petitioner and their children. The respondent is careless man who attributes only in his addictive lifestyle. The respondent treats the petitioner in a very bad manner and behaves very rashly and rudely with petitioner. That the respondent has abandoned petitioner and the children for months together without providing them basic necessities like food, clothing, school fee etc.,
- 14.** The Petitioner's marital life became miserable from 2005 to till date. The Respondent brutally assaulted the Petitioner and hit her left ear and head, that caused hole in her left ear drum. The Petitioner was treated like a slave and she and her children are totally neglected by the Respondent. It became intolerable to the Petitioner when the Respondent started insulting her, treating her with harassment/cruelty, frequently abusing Petitioner in abusive language in front of their children and beating her often for no reason.
- 15.** It is pertinent to mention that the respondent has filed a divorce case against the petitioner bearing no. H.M.O.P No.349/2022 which is pending for adjudication before the family court Nagercoil-Tamil Nadu.
- 16.** The Petitioner is a homemaker and lived as dutiful wife and maintained her marital life with love and affection. But the Respondent failed to maintain the Petitioner and his children with love. Many occasions the Respondent denied to provide food to Petitioner and to his children. The Respondent often bring his male relatives to their house and starts fighting/arguing with the Petitioner in disrespectful manner. Every night, the Respondent brings unknown male person to their home without informing the Petitioner. This habit of Respondent, made Petitioner and

their elder daughter uncomfortable to live their own house. The harassment of the Respondent increased day by day. The Petitioner was mentally and physically harassed and have not provided any basic necessities for their children. The Petitioner and Respondent's parents and family member advised the respondent to change his cruel behavior. But all their efforts went vein.

17. During Covid-19 pandemic, when the Petitioner gone out to purchase groceries and basis necessities for their children, the Respondent started quarreling with the Petitioner and warned her ***“If you go out, I will kill you and bury here, nobody will know”*** and continued to assault her with abusive words. On account of the vindictive attitude of the respondent, which made the petitioner very much depressed and she is not able to lead a happy wedded life with the respondent. It is pertinent to mention that the petitioner is solely taking care of all necessities of the children educationally, financially and emotionally as a mother. The Respondent has been working in good organization and earning good income around Rs.3,50,000/- (Rupees three lakhs fifty thousand only) approximately per month including his rental income and is not discharging his duties as prudent father.

18. Under the circumstances, the Petitioner files this Petition claiming maintenance and the Petitioner is ready to depose before this Hon'ble Court about the conduct of the respondent and the mental torture attributed by him upon the Petitioner.

19. The Petitioner has no other alternative other than filing this Petition and hence files this petition for the following;

PRAYER

WHEREFORE, the petitioners pray that this Hon'ble court may be pleased to pass an order directing the respondent:

- a) Direct the Respondent to pay Rs.1,30,000/- (Rupees one lakh thirty thousand only) to the petitioner and children

towards monthly maintenance which includes water, electricity bills, food and travel, for medical and school and college essentials of both the children, for college's extra-curricular activities and day to day expenses and Rs. 25,000/- to be deposited every month in the name of Ms. R. Keerthana (Elder daughter) in a Fixed Deposit or Recurring Deposit with any nationalized bank towards building a healthy savings corpus for their daughter' marriage.

- b) Direct the Respondent to pay a sum of Rs. 1,00,00,000/- (Rupees one crore only) by way of damages for causing physical and mental harassment to the Petitioners and Rs. 2,50,000/- (Rupees two lakh fifty thousand only) college fee of their elder daughter and Rs. 1,50,000/- (Rupees one lakh fifty thousand only) towards litigation fees.
- c) Grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case in the interest of justice.

VSK & CO.

ADVOCATE FOR THE PETITIONER

PETITIONER

VERIFICATION

I, Mrs. Shylaja Rajkumar, W/o Rajakumar C Nadar, aged about 44 years, the Petitioner in the above case do hereby declare that the facts stated above are true to the best of my knowledge, belief and information.

Place: Bengaluru

Date:

PETITIONER

BEFORE THE HON'BLE PRINCIPAL JUDGE, FAMILY COURT
AT BENGALURU

CRL.MISC.NO.

/2024

BETWEEN:

Mrs. Shylaja Rajkumar and ors

PETITIONER

AND:

Mr. Rajakumar C Nadar

RESPONDENT

VERIFYING AFFIDAVIT

I, Mrs. Shylaja Rajkumar, W/o. Rajakumar C Nadar, aged about 44 Years, R/o No.29, Keerthana Nilayam, Devaki Apparao Layout, Near Sai Smruthi Apartment, Ramamurthynagar, Doorvaninagar, Bangalore North, Bangalore- 560016 and currently R/at No.32, Shylaja Nilayam, 1st Cross, Ramakrishna Layout, Ramamurthy Nagar, Bengaluru- 560016, do affirms on oath and state as follows:

1. I make oath and state that I am the Petitioner in the above case and I am well conversant with the facts of the case.
2. I submit that the averments made in para 1 to 19 of the accompanying petition is true and correct.

I swear in the name of God that this is my name and signature and the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Identified by me.

Advocate for Petitioner
Place: Bengaluru
Date:

DEPONENT

BEFORE THE HON'BLE PRINCIPAL JUDGE, FAMILY COURT

AT BENGALURU

CRL.MISC.NO. /2024

BETWEEN:

Mrs. Shylaja Rajkumar and ors

PETITIONER

AND:

Mr. Rajakumar C Nadar

RESPONDENT

APPLICATION FILED UNDER SECTION 13 OF THE FAMILY

COURTS ACT, 1984.

For the reason sworn to in the accompanying affidavit, the Hon'ble Court may be pleased to permit the Petitioner to seek the assistance of Legal counsel in conducting the above matter, in the interest of Justice and Equity.

Address for service

**M/s V.S.K and CO,
Advocates & Legal Consultants,
#5C-316, JBJ Complex, 2nd floor,
Opp. Indian Oil Petrol Bunk,
Above Airtel Store, East of NGEF Layout,
Ramamurthy Nagar Main Road,
Bangalore – 560016.**

Place: Bengaluru

Date:

Petitioner

BEFORE THE HON'BLE PRINCIPAL JUDGE, FAMILY COURT
AT BENGALURU

CRL.MISC.NO. /2024

BETWEEN:

Mrs. Shylaja Rajkumar and ors

PETITIONER

AND:

Mr. Rajakumar C Nadar

RESPONDENT

AFFIDAVIT

I, Mrs. Shylaja Rajkumar, W/o Rajakumar C Nadar, aged about 44 Years, R/o No.29, Keerthana Nilayam, Devaki Apparao Layout, Near Sai Smruthi Apartment, Ramamurthynagar, Doorvaninagar, Bangalore North, Bangalore- 560016 and currently R/at No.32, Shylaja Nilayam, 1st Cross, Ramakrishna Layout, Ramamurthy Nagar, Bengaluru- 560016, do affirms on oath and state as follows:

1. I state that I am the Petitioner in the above case and I am well conversant with the facts of the case.
2. I submit that I have no legal knowledge and experience to prosecute the above matter. I require the services of an advocate.
3. Under the circumstances, I pray that I may be permitted to engage the services of an Advocate in the interest of justice and equity.
4. I require the assistance of Legal Counsel in the above matter, as I am not fully conversant with the legal procedures involved in the above proceedings and will thereof require the aid of a counsel to instruct us in this regard. Hence this application.
5. That great hardship will be caused if this accompanying application is not allowed.

I swear in the name of God that this is my name and signature and the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Identified by me,

Advocate for Petitioner

DEPONENT

Place: Bengaluru

Date:

BEFORE THE HON’BLE PRINCIPAL JUDGE, FAMILY COURT
AT BENGALURU

CRL.MISC.NO. /2024

BETWEEN:
Mrs. Shylaja Rajkumar and ors PETITIONER

AND:
Mr. Rajakumar C Nadar RESPONDENT

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4.	Application Under Section 13 of the Family Courts Act along with affidavit.	
5.	Application under order VI RULE 14-A of Code of Civil Procedure, 1908.	
6.	Assets and Liabilities of the Petitioner along with documents	
7.	Vakalathnama	
8.	II set Petition	
9.	Process Memo	
10.	Copy to the Respondent	

Place: Bengaluru ADVOCATE FOR PETITIONER
Date: VSK & CO.

BEFORE THE HON'BLE PRINCIPAL JUDGE, FAMILY COURT
AT BENGALURU

CRL.MISC.NO. /2024

BETWEEN:

Mrs. Shylaja Rajkumar and ors

PETITIONER

AND:

Mr. Rajakumar C Nadar

RESPONDENT

APPLICATION FILED UNDER ORDER VI RULE 14-A OF THE
CODE OF CIVIL PROCEDURE 1908

The names and addresses of the parties mentioned in the petition may kindly be treated as being the respective registered addresses of the parties. Any correspondence by this Hon'ble Court may be made to the address mentioned in the petition.

Place : Bangalore

ADVOCATE FOR PETITIONER

Date :

VSK & CO.

BEFORE THE HON'BLE PRINCIPAL JUDGE, FAMILY COURT
AT BENGALURU

CRL.MISC.NO. /2024

BETWEEN:

Mrs. Shylaja Rajkumar and ors

PETITIONERS'

AND:

Mr. Rajakumar C Nadar

RESPONDENT

LIST OF DOCUMENTS

Sr.No.	Particulars	Page No.
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2.	Original Marriage Photographs	
3.	Copy of the Aadhar Card of Petitioner No. 1	
4.	Copy of the Aadhar card of Respondent	
5.	Copy Birth Certificate of elder daughter Ms. R. Keerthana	
6.	Copy Birth Certificate of minor son Navaneeth Rajakumar	
7.	Bank account statement of Petitioner from - January 2022 to December 2024.	
8.	The copy of linked in profile of the respondent.	
9.	School fee receipt of the minor son dated 07-01-2025 paid by the petitioner no.3.	
10.	College fee receipt of elder daughter petitioner no.2 dated 22-11-2024.	
11.	Medical receipts pertaining to pettitoner no.3.	

Place: Bengaluru
Date:

ADVOCATE FOR PETITIONER
VSK & CO