

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

RPFC.No. 50 of 2012 ()

MC 788/2010 of FAMILY COURT, MALAPPURAM

REVISION PETITIONER/RESPONDENT:

MUHAMMAD,
S/O.ALI, PICHAN MADATHIL HOUSE, VARIKKODE
KODUR P.O., MALAPPURAM.

BY ADV. SRI.P.M.RAFIQ

RESPONDENTS//PETITIONERS:

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1. RUKHIYA
D/O.KUNHIMOIDEEN, VILLAN VEEDU, VALIYAD
KODUR, MALAPPURAM DISTRICT -676101.
 2. SIFANA SHERIN
S/O.MUHAMMED
MINOR REPRESENTED BY GUARDIAN MOTHER R1, RUKHIYA
D/O.KUNHIMOIDEEN, VILLAN VEEDU, VALIYAD
KODUR, MALAPPURAM DISTRICT- 676101.
 3. SHIFANA
D/O.MUHAMMED, MINOR, REPRESENTED BY GUARDIAN MOTHER R1
RUKHIYA, D/O.KUNHIMOIDEEN, VILLAN VEEDU
VALIYAD, KODUR, MALAPPURAM DISTRICT - 676101.

BY ADV. SRI.P.SAMSUDIN

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON
25-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

R.P.(F.C.) No.50 of 2012

Dated this the 25th day of September 2015

ORDER

The revision petitioner is the respondent in M.C. No.788 of 2010 on the files of the Family Court, Malappuram. The revision petitioner was directed by the court below to pay a maintenance of Rs.2,000/- per month to the 1st respondent and Rs.1,500/- each to respondent Nos.2 and 3. Aggrieved by the said order, this revision petition has been filed.

2. Heard.

3. It is not disputed that the first respondent is the

wife and respondent Nos.2 and 3 are the children of the revision petitioner. It is also not disputed that an order was passed earlier in M.C.No.86 of 2005 granting Rs.600/- to the first respondent and Rs.400/- each to respondent Nos.2 and 3 as monthly maintenance.

4. Thereafter, the first respondent filed the present petition before the court below praying for enhancement of the maintenance amount. The second respondent is studying in 9th standard and the third respondent is studying in 7th standard. They are going for tuition classes also. Therefore, the respondents need money for their education, clothing, food, shelter etc. The first respondent has no source of income and she is depending on her family members for her livelihood. The first respondent

also contended that the revision petitioner was in Gulf for ten years. He is also having an autorikshaw and from the said autorikshaw, he is earning handsome money.

5. The revision petitioner refuted the contentions of the respondents and contended that he is not having any autorikshaw. He is only a coolie worker earning about Rs.250/- per day.

6. The court below found that the revision petitioner was a healthy person having coolie work, getting good income from the said coolie work and in the said circumstances, the revision petitioner was bound to maintain the respondents. The court below after considering the status of the parties, the need of the respondents and the capacity of the revision petitioner,

fixed the quantum of maintenance as mentioned above. No circumstance has been brought to my notice to indicate that the finding of the court below is illegal, improper or incorrect. Having gone through the relevant inputs, I find no reason to interfere with the order impugned.

In the result, this revision petition stands dismissed.

Sd//
B.SUDHEENDRA KUMAR,
JUDGE.

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/ True copy /

PA to Judge