

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

RPFC.No. 111 of 2012

MC 42/2011 of FAMILY COURT, KANNUR

REVISION PETITIONER/RESPONDENT IN MC:

SANEESH, AGED 43 YEARS
AGED 43 YEARS, S/O.LATE ACHUTHAN, CHARAN HOUSE
CHALAD P.O., KANNUR DISTRICT.

BY ADV. SRI.P.K.MOHAMED JAMEEL

RESPONDENT/PETITIONER IN MC:

RAJITHA P.K.,
AGED 37 YEARS, D/O.RAGHAVAN, PADINCHAREKARAMMAL HOUSE
DOCTOR MUKKU, KODACHIRA, KODAMBOOR VILLAGE
KANNUR DISTRICT.

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON
02-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

R.P.(F.C.) No.111 of 2012

Dated this the 2nd day of November 2015

ORDER

The revision petitioner is the counter petitioner in M.C.No.42 of 2011 on the files of the Family Court, Thalassery. The revision petitioner was directed to pay an amount of Rs.2,000/- per month to the respondent, who is the wife of the revision petitioner. Aggrieved by the said order, this revision petition has been filed.

2. Heard.

3. The status of the respondent as the wife of the revision petitioner is not disputed. The respondent would contend that the revision petitioner treated her with cruelty and hence, she was forced to leave the company of the

revision petitioner. She is not having any job or income. The revision petitioner is working in an International Company as a sales representative, earning Rs.20,000/- per month.

4. The revision petitioner would contend that he is not working as a Sales representative in any International Company, as contended by the respondent. He also contended that he is not earning any income from landed properties. The revision petitioner would contend that he is an attender in a shop, earning only Rs.3,000/- per month.

5. Eventhough the respondent would contend that the revision petitioner is a sales representative, earning Rs.20,000/- per month, no document was produced before the court to prove the same. Eventhough the revision

petitioner would contend that he is working as an attender in a shop earning only an amount of Rs.3,000/- per month, the certificate showing the actual job and income of the revision petitioner was not produced before the court below. Eventhough the revision petitioner would contend that PW1 is working as a tailor earning Rs.5,000/- per month, no material was produced before the court to prove the same.

6. The court below, after evaluating the relevant inputs, came to the conclusion that there was justification for the respondent to leave the company of the revision petitioner. The court below further found that there was no material before the court to prove that the respondent had any job or income. Taking into consideration of the needs

of the respondent, the status of the parties and the probable income of the revision petitioner, the court below awarded a monthly maintenance of Rs.2,000/- to the respondent. The quantum of maintenance ordered by the court below cannot be said to be exorbitant or unreasonable. No circumstance has been brought to my notice to indicate that the order passed by the court below suffers from any infirmity warranting interference by this Court.

In the result, this revision petition stands dismissed.

Sd/-
B.SUDHEENDRA KUMAR,
JUDGE

dl/3.11.2015

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PA to Judge