

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

RPFC.No. 24 of 2011

AGAINST THE ORDER IN M.P.634/09 IN MC 363/2008 of FAMILY
COURT,THRISSUR DATED 08-11-2010.

REVISION PETITIONER/RESPONDENT:

MURALI A.M., S/O.MADHAVAN A.M.,
ATHIKKAVIL HOUSE, PANANKULAM P.O., KARUVANNUR,
THRISSUR TALUK.

BY ADV. SRI.JIJO PAUL

RESPONDENT(S)/PETITIONER:

1. VARUNA N.S., D/O.SEKHARAN,
NALUMAKKAL HOUSE, THUMBOOR P.O., THUMBOOR (VIA),
VELLANKALLUR, MUKUNDAPURAM TALUK, PIN-680662.

2. ARATHI (MINOR), REP.BY GUARDIAN MOTHER
1ST RESPONDENT VARUNA N.S., NALUMAKKAL HOUSE,
THUMBOOR P.O., THUMBOOR (VIA), VELLANKALLUR,
MUKUNDAPURAM TALUK, PIN 680662.

3. ATHIRA (MINOR), REP.BY GUARDIAN MOTHER
1ST RESPONDENT VARUNA N.S., NALUMAKKAL HOUSE,
THUMBOOR P.O., THUMBOOR (VIA), VELLANKALLUR,
MUKUNDAPURAM TALUK, PIN- 680662.

R1 TO R3 BY ADV. SRI.K.K.SUNIL KUMAR (IDUKKI)

THIS REV.PETITION(FAMILY COURT) HAVING BEEN
FINALLY HEARD ON 12-06-2015, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

K. HARILAL, J.

R.P.(FC) No.24 of 2011

Dated this the 12th day of June, 2015

ORDER

The petitioner is the respondent in M.P.No.634 of 2009 in M.C.No.363 of 2008 on the files of the Family Court, Thrissur. The above M.C. was filed by the respondents herein, who are his wife and children, claiming maintenance allowance under Section 125 of the Cr.P.C. According to the first respondent, the petitioner has neglected to maintain them and refused to pay maintenance allowance to them. She is unable to maintain herself and the respondents 2 and 3; whereas the petitioner is a military pensioner getting Rs.6,000/- as monthly pension. In addition to that, he is getting Rs.4,000/- per month from security work and

Rs.15,000/- as brokerage. Besides, he is getting Rs.3,000/- per month from the landed properties.

2. The revision petitioner entered appearance and contended that he is working as Security in the K.S.F.E. on daily wages and getting a monthly income of ₹4,800/-. His military pension is only ₹2,500/- per month.

3. Though the revision petitioner contended that the 1st respondent is working as a Teacher, there is no material presently available to support that contention. On the above premises, the court below directed the revision petitioner to pay interim maintenance at the rate of ₹1,000/- each per month to the respondents 1 to 3. This order is under challenge in this revision petition.

4. Going by the impugned order, it is seen that the revision petitioner himself admitted that he is getting ₹7,300/- per month. Even if his admitted amount is taken into consideration, at its face value, I find that the direction to pay interim maintenance at

the rate of ₹1,000/- each per month to the respondents 1 to 3 is reasonable, just and proper. No interference is called for under the revisional jurisdiction.

This revision petition is dismissed.

Sd/-

(K. HARILAL, JUDGE)

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P.S. to Judge