

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

RPFC.No. 13 of 2013

MC 740/2010 of FAMILY COURT, MALAPPURAM

REVISION PETITIONER/RESPONDENT:

MUJEEB RAHMAN
S/O UNNI HASSAN, KODALI HOUSE, HAJIYARPADI
THRIKKALANGODE POST, THRIKKALANGODE
MALAPPURAM DISTRICT.

BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI

RESPONDENTS/PETITIONERS:

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1. NOORJAHAN
D/O MOHAMMED, PARAMBAN PEEDIKA, KUTHIRADAM
NELLIKUNNU, THRIKKALANGODE P.O., MALAPPURAM DISTRICT
PIN:676 127.
 2. NISHIDA (MINOR), AGED 11 YEARS
D/O NOORJAHAN
REPRESENTED BY HER GUARDIAN-MOTHER IST RESPONDENT NOORJHAN.
 3. NAJA (MINOR), AGED 8 YEARS
D/O. NOORJAHAN
REPRESENTED BY HER GUARDIAN-MOTHER IST RESPONDENT NOORJHAN.
 4. NIHAL (MINOR), AGED 7 YEARS
S/O NOORJAHAN
REPRESENTED BY HER GUARDIAN-MOTHER IST RESPONDENT NOORJHAN.

R1-4 BY ADV. SRI.P.SAMSUDIN
R1-4 BY ADV. SMT.NIMA JACOB

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON
18-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

R.P.(F.C.) No.13 of 2013

Dated this the 18th day of November 2015

O R D E R

The revision petitioner is the respondent in M.C. No.740 of 2010 on the files of the Family Court Malappuram. The revision petitioner was directed to pay Rs.3,000/- to the first respondent and Rs.2,000/- each to the other respondents per month towards their monthly maintenance.

2. Heard.

3. The only challenge in this revision petition is the quantum of maintenance ordered by the court below. The evidence on record would show that PW1 is not employed.

There is also no contention that PW1 is employed. There is no contention that the revision petitioner had discharged his obligation under personal law. The respondents would contend that the revision petitioner is having landed properties. He is also conducting shops. He is also having lorry. The revision petitioner stated that he is not having any income or any lorry or any shop. RW1 stated that he is doing coolie job for his livelihood. However, the amount that he gets from his job is not mentioned in his evidence. The respondent Nos.2 to 4 are minor children who are studying in school. They require money for their education and welfare activities. It is the duty of the revision petitioner to state about his income. There is absolutely nothing on record to prove the income of the revision

petitioner. Taking into consideration of the needs of the respondents and the probable income of the revision petitioner, the court below directed the revision petitioner to pay maintenance as directed as above. The quantum of maintenance awarded by the court below does not seem to be unreasonable or exorbitant. Therefore, I find no reason to interference with the maintenance awarded by the court below.

In the result, this revision petition stands dismissed.

However, the revision petitioner is granted four months to pay the arrears of maintenance.

Sd/-

**B.SUDHEENDRA KUMAR,
JUDGE**

dl/18.11.2015

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PA to Judge