

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

RPFC.No. 375 of 2015 ()

ORDER IN MC 380/2013 OF FAMILY COURT, MALAPPURAM DATED 29-05-2015

REVISION PETITIONER/RESPONDENT:

SANKARANARAYANAN, AGED 52 YEARS
S/O.RAMAN, KARUVATHAMPARAYIL VEEDU, KOTHAKURSSI
PANAMANNA.P.O., PALAKKAD.

BY ADVS.SRI.P.SAMSUDIN
SRI.K.C.ANTONY MATHEW
SRI.JITHIN LUKOSE

RESPONDENT/RESPONDENT:

KAMALA, AGED 45 YEARS
D/O.CHINNAN, NANIKKAVIL HOUSE, PATTANAMKUNDU
CHATHAMGOTTUPURAM.P.O., WANDOOOR-679 328
MALAPPURAM DISTRICT. [WANDOOOR POLICE STATION]

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

R.P.(F.C.) No.375 of 2015

Dated this the 27th day of October, 2015

ORDER

This revision petition has been filed by the respondent in M.C.No.380 of 2013 on the files of the Family Court, Malappuram challenging the order passed by the court below directing the revision petitioner to pay an amount of ₹4,500/- towards the monthly maintenance of the respondent herein, who is the wife of the revision petitioner.

2. Heard the learned counsel for the revision petitioner.

3. M.C.No.769 of 2008 was filed earlier by the respondent herein for maintenance from the revision petitioner. As per order in M.C.No.769 of 2013, the family court directed the revision petitioner to pay an amount of ₹3,000/- per month as maintenance to the respondent herein. Thereafter, the respondent herein filed M.C.No.380 of 2013 before the family court praying for enhancing the amount of

maintenance to ₹10,000/- per month on the ground of change in circumstances and escalation of living expenses.

4. The order in M.C.No.769 of 2008 was passed on 19.02.2010. The respondent herein would contend that the revision petitioner is conducting a financial business, earning ₹1,50,000/- per month. He is also having income from his landed properties.

5. The revision petitioner would contend that his business is about to be closed. He has to also look after two of his children born in his first wife.

6. Even though the respondent had contended that his business was in the stage of winding up, no material has been produced before the court to substantiate the same.

7. No evidence was adduced by any of the parties.

8. The court below, after considering the escalation of living expenses, the needs of the respondent herein and also the probable income of the revision petitioner, directed the revision petitioner to pay maintenance at the rate of ₹4,500/-

per month to the respondent herein.

Having gone through the relevant inputs, I do not find any reason to hold that the order impugned suffers from any infirmity warranting interference by this Court.

In the result, this RP(FC) stands dismissed.

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

Scl/27.10.2015

True Copy

PA to Judge