

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

RPFC.No. 189 of 2014 (E2)

AGAINST THE ORDER IN MC 539/2013 of FAMILY COURT, ATTINGAL DATED 24-02-2014

REVISION PETITIONER(S)/RESPONDENT:

**VIPIN, AGED 31,
S/O SAHADEVAN, PANKAJA MANDIRAM, S.N. NIVAS,
KORANI P.Q, MELTHONNAKKAL VILLAGE,
WORKING IN DNATA. PB NO. 1515,
DUBAI, REPRESENTED BY FATHER
POWER OF ATTORNEY HOLDER SAHADEVAN.**

BY ADV. SRI.R.ANILKUMAR

RESPONDENT(S)/PETITIONER:

**ANUSREE, AGED 26 YEARS,
D/O.PUSHPAJA, SREEVIHAR, KADAVOOR P.O
MELTHONNAKKAL VILLAGE, THIRUVANANTHAPURAM DISTRICT,
PIN-695313.**

BY ADV. SRI.M.DINESH

**THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON
25-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

OKB

K.HARILAL, J.

R.P(FC). No.189 of 2014

Dated this the 25th day of May, 2015.

O R D E R

1.The revision petitioner is the respondent in M.C.No.539/2013 on the files of the Family Court, Attingal. The above M.C. was filed by the respondent, who is the wife of the revision petitioner, claiming maintenance allowance from the revision petitioner under Section 125 of the Code of Criminal Procedure. After considering the application seeking interim maintenance, the court below directed the revision petitioner to pay interim maintenance at the rate of Rs.2,500/- per month. The legality of this order is under challenge in this revision petition.

2.Heard the learned counsel for the revision petitioner and the learned counsel for the respondent. It is disputed that the revision

petitioner is working abroad. According to the respondent, she has no job or any source of income and she is unable to maintain herself. In such circumstance, I do not find any fault with the court below for directing the revision petitioner to pay interim maintenance at the rate of Rs.2,500/- per month. Since the obligation contemplated under Section 125 of the Cr.P.C. is a statutory obligation, I do not find any illegality in passing an interim order directing to pay interim maintenance. So also the quantum of interim maintenance fixed by the court below is just and proper, when comparing with the high cost of living at present. Consequently, this revision petition is devoid of merits.

In the result, this R.P(FC). is dismissed.

Sd/-
K. HARILAL, JUDGE

okb.