

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

RPFC.No. 363 of 2014 ()

MC 150/2013 OF THE FAMILY COURT, THIRUVANANTHAPURAM

REVISION PETITIONER(S)/RESPONDENT:-:

SHIBU KUMAR, AGED 38 YEARS
S/O.SADANANDAN, SINI NIVAS, ADICHANALLOOR P.O.
PLAKATTYCHERI, KOLLAM - 691 573.

BY ADV. SRI.N.VIMALAN

RESPONDENTS/PETITIONERS:-:

1. SHINY,
SUJITH BHAVAN, CHEELAPARA, PEYAD P.O.
VILAPPIL VILLAGE, THIRUVANANTHAPURAM - 695 001.
2. CHANDANA S.S., AGED 6 YEARS
D/O.SHINY K.S., SUJITH BHAVAN, CHEELAPARA
PEYAD P.O., VILAPPIL VILLAGE
THIRUVANANTHAPURAM - 695 001.
(MINOR REPRESENTED BY THE 1ST RESPONDENT).

R1 & 2 BY ADV. SMT.GISA SUSAN THOMAS
R1 & 2 BY ADV. SMT.N.LEELAMANI
R1 & 2 BY ADV. SRI.SUNNY MATHEWS
R1 & 2 BY ADV. SMT.K.S.SHALEEJA
R1 & 2 BY ADV. SMT.NEENU.P.KUMAR

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD
ON 23-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

R.P.(F.C.) No.363 of 2014

Dated this the 23rd day of November, 2015.

ORDER

The revision petitioner is the counter petitioner in M.C.No. 150 of 2013 on the files of the Family Court, Thiruvananthapuram. The revision petitioner was directed by the court below to pay ₹4,000/- per month to the second respondent herein, who is the minor daughter of the revision petitioner, towards her maintenance.

2. Heard.

3. The paternity of the second respondent is not disputed. The only challenge in this revision petition is the quantum of maintenance awarded by the court below.

3. The first respondent is the wife of the revision petitioner. The first respondent alleged that the revision petitioner is a Surveyor, earning ₹50,000/- per month. The income of the first respondent is not sufficient to maintain the second respondent.

4. The revision petitioner did not file any objection

before the court below. The first respondent herein filed affidavit. The evidence of the petitioner that the revision petitioner is working as a Surveyor, earning ₹50,000/- per month, was not challenged. The evidence of PW1 that her income was not sufficient to maintain the second respondent was correctly accepted by the court below.

5. Taking into consideration of the needs of the second respondent, the court below found that at least an amount of ₹8,000/- per month is needed for her education and other welfare activities. The court below further directed that out of the said amount of ₹8,000/-, the revision petitioner shall pay ₹4,000/- per month. The quantum of maintenance awarded by the court below is not exorbitant or unreasonable. No circumstance has been brought to my notice to indicate that the finding by the court below suffers from any infirmity, warranting interference by this Court.

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

**B. SUDHEENDRA KUMAR
JUDGE**