

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

CrI.R.C.No.1276 of 2015

Poongavanam
W/o.Palanisamy

.. Petitioner

vs.

Palanisamy
S/o.Perumal Gounder

.. Respondent

Criminal Revision filed under Sections 397 and 401 Cr.P.C. against the order of learned Judge, Family Court, Salem, passed in M.C.No.10 of 2008 on 25.08.2015.

For Petitioner :Mr.P.Jagadeesan

O R D E R

This revision arises against the order of learned Judge, Family Court, Salem, passed in M.C.No.10 of 2008 on 25.08.2015.

2. Petitioner filed M.C.No.10 of 2008 on the file of learned Judge, Family Court, Salem, seeking maintenance. The Court below, under orders dated 25.08.2015, dismissed such petition. Hence, this revision.

3. Heard learned counsel for petitioner.

4. In dismissing the petition seeking maintenance, the Court below has found that the respondent indeed is the husband of the petitioner, but taking note of her evidence in cross to the effect that the marriage between 'her and one Arumugam' had not been dissolved, read the same as proof of her having had a relationship outside marriage which in turn disentitled her to maintenance. It was also found that she had two individual properties both of which had been obtained in her favour by her son and the same were read as evidence of her having independent means as also that the contention of the petitioner of not being looked after by her son was false. This Court finds no error in the reasoning of the Court below and would further supplement the finding by informing that in admitted circumstances where no

proceedings for maintenance have been initiated by petitioner over a period of fifty long years and her son is aged 50, while the children born to the respondent and one Kuppaiyi, whom the respondent informed of being his wife, are also of similar age, the contention of the respondent that the petitioner has sought maintenance being under the influence of her son easily cannot be kept out of consideration.

For the aforesaid reasons, this Criminal Revision stands dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gm

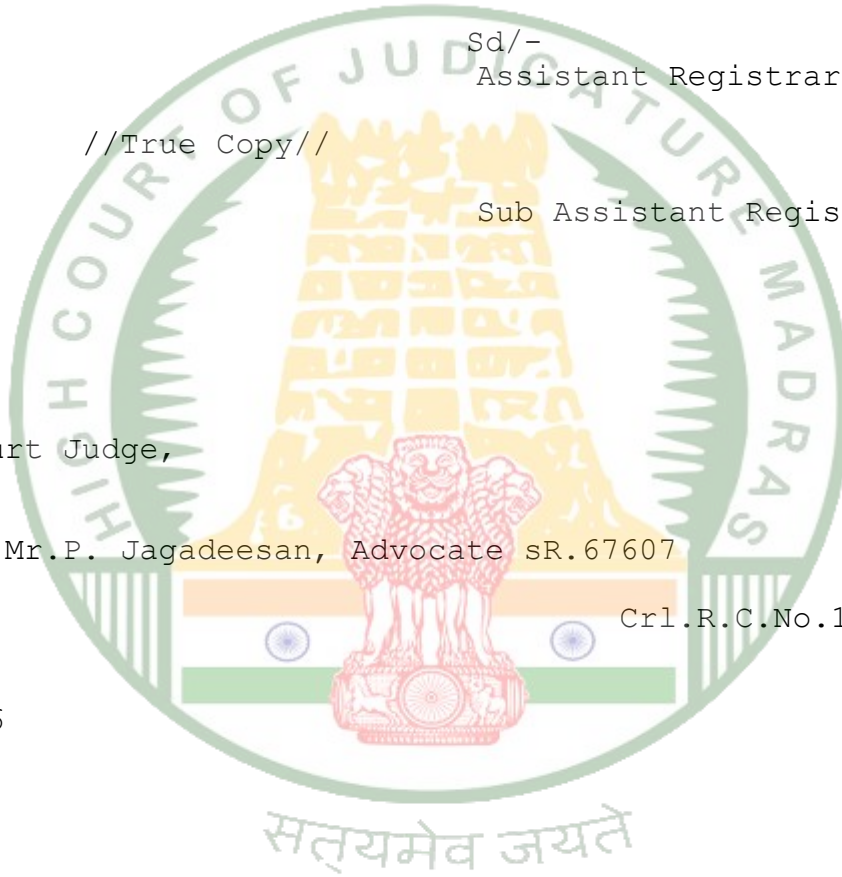
To

Family Court Judge,
Salem.

+ 1 cc to Mr.P. Jagadeesan, Advocate sR.67607

Crl.R.C.No.1276 of 2015

KGK(CO)
EU 19.1.16



WEB COPY