

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.8.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No.148 of 2015
and
MP.Nos.1 of 2015

Ramesh ...Petitioner/1st Respondent

Versus

1. Prema
2. Minor R.Sri Sachin
3. Minor R.Rohith Venkat
Minors Rep.by her mother
1st Respondent ...Respondents/Petitioners

Criminal Revision Cases filed under Section 397 and 401 of Cr.P.C. against the Order dated 18.12.2013 passed by the learned II Additional Session Judge, Salem, in C.A.No.69 of 2013 dated 18.12.2013 confirming the order passed by the learned Additional Mahila Court Judicial Magistrate Level, Salem in C.M.P.No.784 of 2013 in D.V.O.P.No.30 of 2013 dated 25.7.2013.

For Petitioner : Mr. C.D.Johnson

For R1 to R3 : No Appearance

O R D E R

The petitioner has filed the above criminal revision case against the Order dated 18.12.2013, passed in Criminal Appeal Nos.69 of 2013 on the file of the learned II Additional Sessions Judge, Salem confirming the order dated 25.7.2013 made in C.M.P.No.784 of 2013 in D.V.O.P.No.30 of 2013 on the file of the Additional Mahila Court, Judicial Magistrate Level, Salem directing the petitioner to pay a sum of Rs.5,000/-each, towards maintenance to the respondents 2 and 3 respectively.

2. The first respondent herein has filed a petition under Section 12 of D.V.Act against the petitioner and the same is pending. The children of the petitioner/ respondents 2 and 3 are now in the custody of the first respondent and they are studying Nursery and Primary school. Therefore, the respondents herein has filed a

petition under Section 23 of Domestic Violence Act against the petitioner seeking a sum of Rs.30,000/- towards interim maintenance to meet out the school expenses of the minor children. The trial Court directed the petitioner to pay a sum of Rs.5000/- each to the minor children /respondents 2 and 3 for their school expenses to the first respondent. As against the same, the petitioner has filed Criminal Appeal in Crl.A.No.69 of 2013 before the II Additional Sessions Court, Salem and the same was dismissed confirming the order of the trial Court. Aggrieved by the same, the present Criminal Revision Case is filed.

3. Learned counsel for the petitioner did not argue on the merits of the case but only confined his argument with regard to the one time school fees fixed by the Courts below. According to the learned counsel for the petitioner the school fee fixed by the Courts below is too high and the same has been fixed without any basis.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. On a careful perusal of the entire order, it is very clear that the Court below directed the petitioner to reimburse the school fees paid by the first respondent. Further, the Courts below has fixed a sum of Rs.5,000/- to the respondents 2 and 3 towards school expenses, which is fair and reasonable.

6. Therefore, I do not find any reason to interfere with the reasoned orders of the Courts below.

7. The Criminal revision case is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ga

To

1. The II Additional Sessions Judge,
Salem

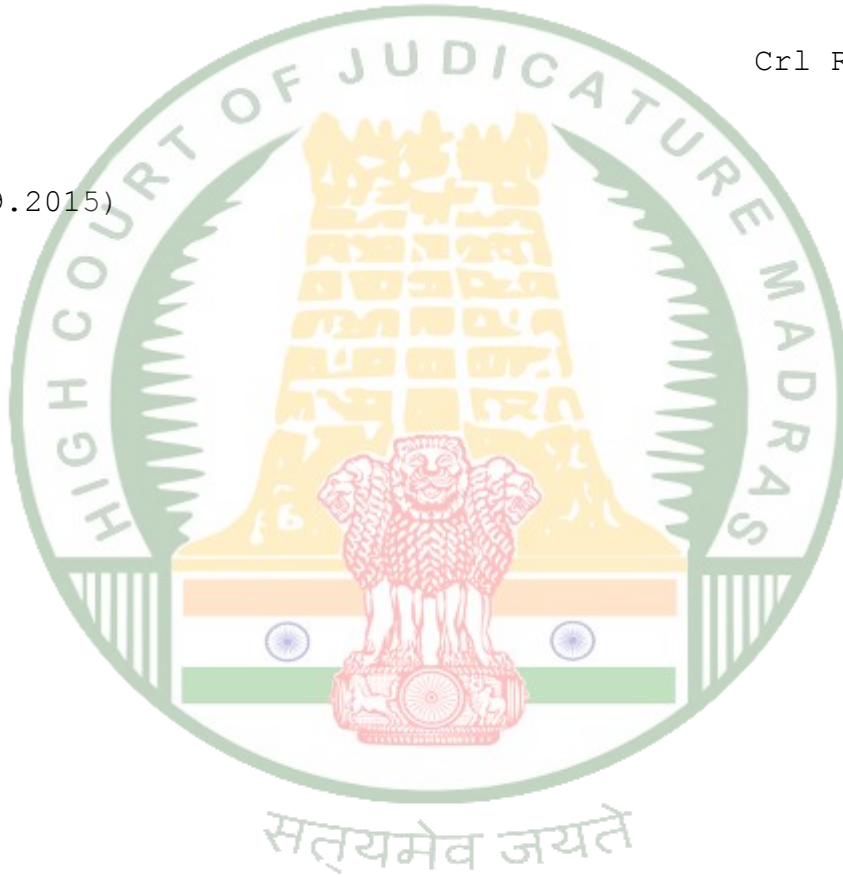
2. Additional Mahila Court, Judicial Magistrate Level
Salem.

3. -Do- The Chief Judicial Magistrate,
Salem.

1 CC to Mr. C.D.Johnson, Advocate SR.No. 44380

Crl RC No.148 of 2015

SKV (CO)
PSI (14.09.2015)



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