

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6718 2015

ORDER:

This Criminal Petition is filed by the petitioner under Section 482 Cr.P.C seeking to quash the order dated 13.09.2013 passed in CrI.R.P.No.48 of 2013 on the file of Judge, Family Court-cum-VIII Additional Sessions Judge, Mahabubnagar.

Heard the learned counsel for the petitioner and the learned Public Prosecutor (Telangana) for the State before notice to respondent Nos.1 to 3 and before admission. Perused the material on record.

The petitioner herein is the respondent in M.C.No.11 of 2011 on the file of Junior Civil Judge-cum-Judicial Magistrate of First Class, Shadnagar, which was filed by his wife and two minor daughters, aged 13 years and 9 years, respectively. The learned Magistrate vide his order dated 13.09.2013 granted monthly maintenance at Rs.2,500/- to each of the minor daughters and negated maintenance to his wife, which was claimed at Rs.5,000/- p.m. for the reason that she was already awarded maintenance at Rs.5,000/- by the Additional Family Court, Hyderabad and the petitioner is paying the same. Aggrieved by the said order, the petitioner preferred the revision before Judge, Family Court-cum-VIII Additional Sessions Judge, Mahabubnagar and the learned Sessions Judge vide his order dated 24.06.2014 dismissed the same. Hence, this criminal petition is filed.

It is the contention of the petitioner that he is not in a position further to pay Rs.2500/- p.m. to each of his daughters, having been paying Rs.5,000/- p.m. to the wife. It is also the contention that the wife has got means and her parents are also flawed.

But there is nothing to show that there is any ancestral property or wife is working in a particular employment and getting particular salary but for to say in-laws has flawed so also her parents. The fact that the Family Court, Hyderabad, granted maintenance at Rs.5,000/- p.m. to the wife and again the learned Magistrate granted Rs.2,500/- p.m. to each of the daughters is thereby onerous not a ground to reduce the maintenance granted to daughters but for

said remedy left open to ask to reduce the maintenance awarded to his wife from the subsequent changes or changed circumstances. It is for that reason, the revisional Court has dismissed the revision. Hence, there is nothing to interfere by this Court.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:29-07-2015

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**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CRIMINAL PETITION No.6718 OF 2015

Between:

Chinthakunta Ramulu ... Petitioner

and

Chintakunta Suguna and three others

....Respondents

DATE OF JUDGEMENT PRONOUNCED: 29-07-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? Yes/No Yes/No

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals? Yes/No

3. Whether Their Ladyship/Lordship wish to Yes/No
see the fair copy of the Judgment? Yes/No

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