

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.R.C.No.366 of 2007

JUDGMENT:

This Criminal Revision Case is directed against the order passed in M.C.No.32 of 2004 dated 19.01.2007 on the file of the Judge, Family Court-cum-V Additional District Judge, Tirupathi.

Respondents 1 and 2, who are wife and daughter, filed the aforesaid M.C.No.32 of 2004 claiming maintenance from the revision petitioner/husband at the rate of Rs.6,000/- per month each. The revision petitioner/husband contested the said case by filing counter. The trial Court, after an analysis of the entire evidence available on record, granted monthly maintenance at the rate of Rs.2,000/- to each of respondents 1 and 2 herein from the date of the order i.e., 19.01.2007. Questioning the said order, the revision petitioner/husband preferred the present revision.

Learned Counsel for the revision petitioner submits that the amount awarded by the trial Court is excessive and exorbitant; that the 1st respondent/wife left the matrimonial house without any reasonable cause and, therefore, she is not entitled for maintenance.

This Court, on 13.03.2007, while admitting this revision, granted interim stay of execution of the impugned order on condition of the revision petitioner paying Rs.3,000/- per month to respondents 1 and 2 herein.

Having considered the submissions made by the learned Counsel for the revision petitioner and having perused the order of the trial Court, this Court is of the view that there is no dispute with regard to the relationship of the revision petitioner with respondents 1 and 2 herein. From a perusal of the impugned order, it is evident that

the revision petitioner/husband filed a memo stating that a reasonable amount may be awarded to respondents 1 and 2 herein as maintenance without prejudice to the rights and contentions of the revision petitioner/husband in H.M.O.P.No.84 of 2004. The trial Court, on a consideration of the entire material available on record, held that the revision petitioner-husband was drawing salary of Rs.12,000/-per month and hence he has got sufficient means to pay maintenance to his wife and daughter and accordingly granted maintenance at the rate of Rs.2,000/-per month, which is fair and reasonable. The Court below was justified in awarding the said amount.

In the light of the above, I am of the view that the trial Court has given sufficient and cogent reasons in awarding the monthly maintenance amount at the rate of Rs.2,000/- to each of respondents 1 and 2, who is the wife and daughter of the revision petitioner. I do not find any ground to interfere with the impugned order of the trial Court.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

08-06-2015

Gsn