

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1849 of 2015

ORDER

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The present criminal revision case is directed against the order dated 09.08.2015 passed in I.A.No.874 of 2015 in M.C.No.5 of 2014 by the learned Judge, Family Court, S.P.S.R., Nellore District.

2. Heard both sides.

3. The first respondent herein being the wife of petitioner filed M.C.No.5 of 2014 seeking to direct the petitioner to pay the maintenance of Rs.5,000/-per month to the petitioner. The trial Court, after considering the evidence and material on record, allowed the said M.C., granting monthly maintenance at the rate of Rs.5,000/-per month payable by the petitioner on or before 10th of every succeeding month. Since the petitioner was not paid the said maintenance from 30.06.2014 to 29.08.2014, the first respondent filed I.A.No.874 of 2015 to send the petitioner to imprisonment for recovery of arrears of maintenance amount of Rs.10,000/-. By the order impugned, the trial Court allowed the said I.A. and issued warrant of arrest against the petitioner for recovery of arrears of maintenance amount of Rs.10,000/- by sending him to imprisonment for a period of one month on payment of process by 04.09.2015. Aggrieved by the same, the present revision is filed.

4. As seen from the order impugned, it is evident that the petitioner having aware of the proceedings in M.C.No.5 of 2014 granting maintenance at the rate of Rs.5,000/- per month to the first respondent and having sufficient means to pay the same, was not complied with the said order. Therefore, the trial Court has rightly allowed the said I.A., issuing warrant of arrest against the petitioner and this Court is not inclined to interfere with the said order.

5. Hence, the Criminal Revision Case is dismissed. Miscellaneous Petitions, if any, pending in this revision shall stand dismissed.

JUSTICE RAJA ELANGO

2nd September, 2015

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