

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.940 of 2016

1. Arthi Suresh
W/o.Yuvaraj

2. Minor Abaya Y.Boomiko
D/o.Yuvaraj
represented by her mother
Arthi Suresh
(impleaded 2nd petitioner as per order
of this Court dated 24.10.2016 in
Crl.M.P.No.8546 of 2016 in Crl.R.C.
No.940 of 2016) ... Petitioners

Vs.

Yuvaraj
S/o.C.R.Venkatachalam ... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C.
against the order of learned Judge, Family Court, Erode, passed
in M.C.No.114 of 2014 on 04.06.2016.

For Petitioners : Mr.I.C.Vasudevan
For Respondent : Mr.V.Balamurugane

सत्यमेव जयते

O R D E R

This revision arises against the order of learned Judge,
Family Court, Erode, passed in M.C.No.114 of 2014 on 04.06.2016.

2. Respondent and first petitioner are husband and wife.
Second petitioner is their daughter. Respondent moved
H.M.O.P.No.256 of 2013 on the file of Family Court, Erode,
seeking divorce. Petitioners moved M.C.No.114 of 2014 seeking
maintenance for them. Court below, under the impugned order,
directed the respondent to pay sums of Rs.3,000/- and Rs.5,000/-

to petitioners respectively towards monthly maintenance. The present revision is filed against such order.

3. Heard learned counsel for petitioners and learned counsel for respondent.

4. On perusal of the order under challenge, this Court finds that the Court below has held that the respondent is earning a sum of Rs.30,000/- per month. Though the respondent is informed to be unemployed, it is seen that the father of the respondent is informed to be the owner of a lathe. It is also seen that the Court below has also considered that an expense of Rs.40,000/- to Rs.50,000/- is incurred annually towards the education of the child. Taking into consideration the attendant facts and circumstances of the case, this Court is of the view that the Court below erred in granting maintenance in minimum sums and the same is to be enhanced.

5. Accordingly, this Court directs the respondent to effect payment in sums of Rs.6,000/- and Rs.7,500/- to petitioners respectively, on or before 5th of every month towards maintenance. Such sum shall be payable from the date of petition before Court below.

The Criminal Revision is disposed of with the above direction.

s/d-
Assistant Registrar (CS-III)

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Sub-Assistant Registrar

To

The Judge,
Family Court,
Erode.

+1 CC to Mr. I.C. Vasudevan, Advocate sr 71023

+1 CC to Mr. V. Balamurugane, Advocate sr 71328

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