



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

C.R.L.RC(MD) No.108 of 2015

and

M.P(MD)No.1 of 2015

G.Karupasamy @ Petchiyappan

... Petitioner/
Respondent

-vs-

K.Pandiswari

... Respondent / Petitioner

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., against the order passed by the learned Judicial Magistrate, Sivakasi in M.C.No.34 of 2013, dated 12.11.2014.

For Petitioner: Mr.P.Subbaraj

For Respondent: Mr.M.Ashok Kumar

O R D E R

This is an Electrician's revision, who was electrified by the amount granted by the Magistrate namely Rs.4000/- to the respondent.

2. The revision petitioner and the respondent belongs to Thiruthangal near Sivakasi in Virudhunagar District. Both are not so affluent. They belongs to lower strata of society. But they are not exceptions to family dispute. They were separated. The respondent sought for maintenance stating that the petitioner is earning Rs.20,000/- per month.

3. The learned Magistrate considered their respective submissions and after perusing the evidence, coming to the conclusion that the revision petitioner as Electrician, did errand job, fixed his notional income at Rs.8,000/- per month and thus granted 50% of that namely Rs.4,000/- to the wife. The husband having find it difficult in paying that amount wants reduction.

4. After hearing both sides and considering the records of the case noticing down the monthly income of the revision petitioner



this Rs.4,000/- itself would be hardly sufficient. The revision petitioner himself is suffering out of financial difficulties. But, for that, he cannot seek exoneration. Let him pay what the Magistrate had ordered and discharge his matrimonial obligation.

5. In view of the above, this Criminal Revision Case fails and it is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)
/True copy/

Sub Assistant Registrar

To:
The Judicial Magistrate, Sivakasi.

+1 CC TO M/S.M.ASHOK KUMAR, ADVOCATE IN SR.NO.29305

PM
CSL/NGM-MP/17.06.2016 : 2P/3C

CRL.RC (MD) No.108 of 2015
09.06.2016