



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2016

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THE HONOURABLE MR.JUSTICE DR.P.DEVADASS

Crl.R.C.(MD)No.444 of 2016

and

Crl.M.P.(MD).No.5142 of 2016

T.Raja

... Petitioner

Vs.

Chandraleka

... Respondent

Prayer: Criminal Revision Petition is filed under Section 397 r/w. 401 of Cr.P.C., against the order passed by the Family Court, Madurai in M.C.No.91 of 2013 dated 02.04.2016.

For Petitioner : Mr.D.Sadiq Raja
For Respondent : Mr.K.Kumaravel

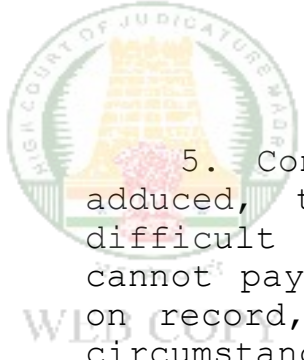
O R D E R

This revision has been directed at the instance of an husband as against grant of maintenance at the rate of Rs.3,000/- per month to his wife.

2. The spouses are living separately. The wife/respondent sought for monthly maintenance. She had also sought for re-union by filing H.M.O.P.No.522 of 2012 under Section 9 of the Hindu Marriage Act. She bent upon joining with her husband, but she is not successful in her attempt. As on date, they all went in vain. In the circumstances, she sought for maintenance from her husband under Section 125 Cr.P.C.

3. The trial Court viewed the evidence in proper perspective, taking note of the earning capacity of the revision petitioner, granted her maintenance at Rs.3,000/- per month. As it is appears to be more, the husband is before us.

4. His grievance is the amount ordered is too much, when especially he is not earning much. However, the respondent has contradicted the same by pointing out that the revision petitioner is a B.E., graduate. Already he had employed himself in a private service at Rs.3,000/- per month, now-a-days Rs.3,000/- per month is too low an amount. Even, with this amount one cannot have three time meals per day. Asking the Court to reduce this amount is cruel.



5. Considering the respective submissions and the evidence adduced, the stand of the respondent is correct. It is too difficult to digest the plea of the revision petitioner that he cannot pay Rs.3,000/- per month. From the evidence and materials on record, it is seen that he is worth more than that. In the circumstances, we do not find any flaw in the impugned order of the trial Court. It does not suffer from any legality.

6. In the circumstances, this revision fails and it is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To
The Judge, Family Court, Madurai.

+1CC to M/S. K.Kumaravel, Advocate, SR.No. 44420
+1CC to M/S. D.Sadiq Raja, Advocate, SR.No. 44631

Cr1.R.C.(MD)No.444 of 2016
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