

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.08.2016****CORAM:****THE HONOURABLE DR. JUSTICE S.VIMALA****Crl.R.C. (MD) .No.525 of 2016****and****Crl.M.P. (MD) .No.6419 of 2016**

Pitchiah

.. Petitioner

Vs.

1.Selvi Kousalya

2.Minor Mani Raja

3.Minor Vembu

(R1 to 3 rep. through their guardian

Pattathi W/o.Udayar)

.. Respondents

PRAYER: Criminal Revision Case has been filed under Section 397 of Cr.P.C. praying to call for the records pertaining to the order passed in M.C.No.01 of 2016 on the file of the Family Court, Tirunelveli, dated 04.06.2016 and set aside the same in the interest of justice.

For Petitioner

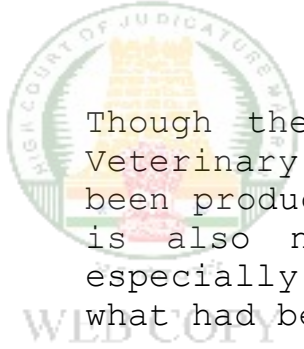
: Mr.T.Selvan

ORDER

Challenging the order passed by the Family Court, Tirunelveli in M.C.No.1 of 2016 directing the petitioner, who is the father of the respondents 1 to 3 herein, to pay a sum of Rs.7,500/- p.m. for maintenance to the respondents, the petitioner has come up with this petition.

2.It is an admitted case of both the parties that after the death of the mother of the respondents herein, the father viz., the petitioner herein married again and therefore, the respondents herein expressed that they are not inclined to live with the father and hence, on merits the matter had been decided and the petitioner was directed to pay a sum of Rs.7,500/- p.m. to the respondents herein for maintenance.

3.The petitioner has come up with this petition seeking reduction of the maintenance amount awarded by the Family Court on the ground that he has been earning only a sum of Rs.13,726/- p.m.



Though the petitioner is stated to be working as Assistant in Veterinary Hospital at Dindigul, the Salary Certificate has not been produced. The reason for non production of salary certificate is also not known. If he is an Assistant, his basic pay, especially after the 6th Pay Commission, would have been more than what had been stated in the evidence before the Court below.

4.The respondents herein are stated to be studying 2nd year B.A. Economics; 3rd year B.E. (E.E.E.) and 10th standard respectively. Having regard to the requirements of these minor children, the amount of maintenance ordered cannot be stated to be exorbitant. Hence, this Criminal Revision Case is dismissed. However, it is made clear that the second respondent herein, who is a male child, is entitled to maintenance only till he attains the age of 18 years.

Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Judge, Family Court, Tirunelveli.

+1 cc to M/s.T.Selvan, Advocate in SR.No.41656

gcg

CSL/PV/24.08.2016 :2P/3C

Cr1.R.C.MD)No.525 of 2016
03.08.2016