

HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE Nos.767 & 835 of 2004

COMMON ORDER:

1. Since both the revisions arise out of one and the same order and the parties are one and the same, both the revisions are heard together and being disposed of by this common order.
2. CrI.R.C.767 of 2004 is filed by the petitioner-husband whereas CrI.R.C.No.835 of 2004 is filed by the wife and children, aggrieved by the order dated 13.1.2004 passed in M.C.No.28 of 2001 by the Family Court-cum-V Additional District Judge, Tirupati, Chittoor District.
3. The status of the parties will hereinafter be referred to as arrayed in CrI.R.C.No.767 of 2004.
4. Respondents Nos.1 to 3, who is the wife and children of the petitioner, filed M.C.No.28 of 2001 seeking to grant maintenance of Rs.1,000/- per month to each of them. The Family Court after conducting trial and after hearing both the parties, granted maintenance of Rs.500/- per month to each of respondents 1 to 3. Aggrieved by the grant of maintenance to respondents 1 to 3, the petitioner-husband filed CrI.R.C.No.767 of 2004 whereas respondents 1 to 3 filed the above CrI.R.C.No.835 of 2004 seeking enhancement of maintenance granted by the trial Court.
5. Heard and perused the material available on record.
6. From the order under revisions, it is obvious that the petitioner is working as CRPF constable. Taking into consideration his earnings and the financial position of both the parties, the trial Court granted maintenance of Rs.500/- per month to each of respondents 1 to 3 in the year 2003. Considering the facts and circumstances of the case, this Court is of the view that the maintenance granted by the trial Court to

the respondents 1 to 3 is in accordance with law.

7. The present revision cases pertain to the year 2004. It is brought to the notice of this Court that the wife of the petitioner passed away. But, no particulars as to her death were furnished.

8. Insofar as respondents-2 and 3 are concerned, the cause title makes it obvious that as of now, the 2nd respondent would be aged about 27 years and the 3rd respondent would be aged about 24 years. In addition to that, it is needless to observe that the 3rd respondent being a girl is entitled to maintenance till her marriage.

9. In the above circumstances, this Court is of the view that there are no grounds to interfere with the order under revisions at this length of time.

10. Accordingly, both the Criminal Revision Cases are dismissed. Consequently, miscellaneous petitions pending, if any, shall stand dismissed. It is left open to respondents Nos.1 to 3 to file an application for enhancement before the Court below, if they are so advised.

RAJA ELANGO, J

18th July 2016

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