

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE M.S.K.JAISWAL

FCA.Nos.153 and 176 of 2016

Date:03.12.2016

FCA.No.153 of 2016

Between:

J.Subbarami Reddy,

S/o J.Adinarayana Reddy

..... Appellant

And:

A.Archana Reddy,

W/o J.Subbaramai Reddy

and another.

....Respondents

Counsel for the appellant: Mr. J.Srinivasulu

Counsel for the respondents: Mr. K.Rathanga Pani Reddy

AND

FCA.No.176 of 2016

Between:

A.Archana Reddy,

W/o J.Subbaramai Reddy

and another.

..... Appellants

And:

J.Subbarami Reddy,

S/o J.Adinarayana Reddy

....Respondent

Counsel for the appellants: Mr. K.Rathangapani Reddy

Counsel for the respondent: Mr. J.Srinivasulu

The Court made the following:

COMMON JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

These two Family Court Appeals arise out of the order and decree, dated 14.8.2016, in FCOP.No.140 of 2014 on the file of the Judge, Family Court-cum-V Additional District Judge, Tirupati.

We have heard Mr. K.Rathanga Pani Reddy, learned counsel for the petitioners in FCOP.No.140 of 2014 and Mr. J.Srinivasulu, learned counsel for the respondent.

For convenience, the parties are referred to as they are arrayed in the FCOP.

The petitioners are the wife and minor child of the respondent. Their matrimonial relationship having run into rough weather, they have been living separately though they are not legally separated. The petitioners filed the afore-mentioned FCOP seeking maintenance at the rate of Rs.25,000/- per month to each of them. The respondent resisted the said OP. Based on the oral and documentary evidence adduced by both the parties, the Family Court has disallowed the claim of petitioner No.1 for maintenance and awarded a sum of Rs.20,000/- per month to petitioner No.2 besides payment of Rs.50,000/- per annum towards his clothing, educational and medical expenses. The respondent was also directed to pay a sum of Rs.2,000/- to the petitioners towards litigation expenses. Feeling aggrieved by this

order, the petitioners filed FCA.No.176 of 2016 and the respondent filed FCA.No.153 of 2016.

Learned counsel for the petitioners has not disputed the finding of the Family Court that petitioner No.1 has been owning certain properties besides earning income for her personal maintenance. He has, however, submitted that award of Rs.20,000/- per month towards maintenance for petitioner No.2 is too low. He has requested that the same may be enhanced to at least Rs.25,000/- per month.

Learned counsel for the respondent initially resisted, but later, has not disputed the fact that his client is earning Rs.1,20,000/- per month towards salary. He has, however, expressed his grievance that though the Family Court has granted visitation rights in favour of the respondent, petitioner No.1 has not been complying with the same.

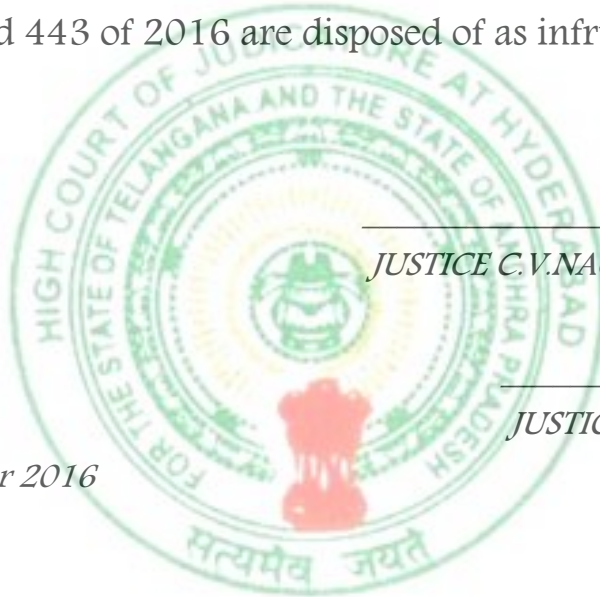
Mr. K.Rathanga Pani Reddy, learned counsel for the petitioners, submitted that petitioner No.1 will strictly comply with the relief granted in favour of the respondent relating to the visitation rights of the respondent.

In the light of the above facts, we are of the opinion that interests of justice would be met if the respondent pays a sum of Rs.25,000/- (Rupees Twenty Five thousand only) per month towards the maintenance of petitioner No.2. The relief granted

by the Family Court in the afore-mentioned FCOP in all other respects shall stand confirmed. It is made clear that if the respondent faces any problem with regard to the visitation rights as per the order of the Family Court, he shall be free to approach the said Court for appropriate directions.

Subject to the above, FCA.No.153 of 2016 is dismissed and FCA.No.176 of 2016 is disposed of.

As a sequel to disposal of the appeals, FCAMP.Nos.386, 387, 442 and 443 of 2016 are disposed of as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE M.S.K.JAISWAL

02nd December 2016

DR