

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRIMINAL REVISION CASE No.932 of 2016**

**ORDER:**

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1. This Criminal Revision Case is filed by the petitioners aggrieved by the order dated 3.2.2016 passed in M.C.No.64 of 2013 by the Family Court, Secunderabad.

2. The 1<sup>st</sup> petitioner is the wife and the 2<sup>nd</sup> petitioner is the son of the 2<sup>nd</sup> respondent. The petitioners filed the above M.C. seeking to grant maintenance of Rs.15,000/- per month to each of them and Rs.5,000/- towards legal expenses. The trial Court after conducting trial allowed the above M.C. in part awarding maintenance of Rs.5,000/- per month to the 2<sup>nd</sup> petitioner and legal expenses of Rs.5,000/- to the 1<sup>st</sup> petitioner and further directing the 2<sup>nd</sup> respondent to pay the school fee of the 2<sup>nd</sup> petitioner, while dismissing the claim of maintenance of the 1<sup>st</sup> petitioner. Aggrieved by the order of the trial Court, the petitioners filed this revision.

3. Heard and perused the material available on record.

4. The main grievance of the 1<sup>st</sup> petitioner is that the trial Court failed to appreciate the evidence in a proper perspective and she is entitled for maintenance. It is also case of the petitioners that insofar as the 2<sup>nd</sup> petitioner is concerned, even though Rs.15,000/- per month was claimed, the trial Court granted Rs.5,000/- p.m., only and the same is very meager.

5. In the order under revision, it is observed by the trial Court that the 1<sup>st</sup> petitioner admitted that she has been working in Tech Mahindra and earning Rs.19,000/- per month and further, there was no

negligence on the part of the 2<sup>nd</sup> respondent in maintaining the petitioners and the 1<sup>st</sup> petitioner deserted the matrimonial home. Further, divorce was also granted. In view of the above observations, this Court is of the view that the order of the trial Court insofar as the 1<sup>st</sup> petitioner is concerned does not warrant any interference.

6. Insofar as the 2<sup>nd</sup> petitioner is concerned, he is aged about 14 years and he is studying and therefore, the amount of Rs.5,000/- per month towards maintenance is meager. Therefore, this Court is inclined to enhance the maintenance granted to the 2<sup>nd</sup> petitioner.

7. Accordingly, the 2<sup>nd</sup> respondent is directed to pay Rs.6,000/- per month to the 2<sup>nd</sup> petitioner towards maintenance from the date of order of the trial Court. The arrear of maintenance payable to the 2<sup>nd</sup> petitioner shall be paid in three instalments from the date of receipt of a copy of this order. Rest of the order under revision shall remain.

8. With the above modification, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**JUSTICE RAJA ELANGO**

Dated: 5<sup>th</sup> July, 2016

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05.7.2016

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