

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 4305 OF 2016

ORDER:

This civil revision petition is filed questioning the order dated 21.05.2016 passed in I.A.No.679 of 2014 in FCOP No.127 of 2013 in allowing the petition and granting maintenance pendente lite @ Rs.3,000/- per month and also granting litigation expenses of Rs.5,000/-.

Learned counsel for the petitioner submits that petitioner is living on the pension of his mother, who is a retired employee. Learned counsel further submits that though no evidence has been produced by the respondent, the order of the court below in fixing a sum of Rs.3,000/- as maintenance is totally unreasonable and unsustainable and that the court below having accepted that the petitioner is not employed, ought not have granted Rs.3,000/- as maintenance.

A perusal of the order impugned disclose that Exs.A1 to A9 have been marked evidencing the financial capacity of the family. Ex.A3 is a gold receipt for Rs.5,24,430/-; Exs.A4 to A8 are the sale deeds in the name of the G.Jayalakshmi; and Ex.A9 is the rectification deed dated 27.04.2011. The court below had taken into consideration of the documents fixed a sum of Rs.3,000/- towards maintenance pendent lite and Rs.5,000/- as litigation expenses.

Having considered the submission of the learned counsel for the petitioner and having perused the order impugned, the order of the court below does not call for any interference by this court.

The Civil Revision Petition is accordingly dismissed. However, petitioner is granted eight weeks time for payment of arrears. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

September 9, 2016
LMV

JUSTICE CHALLA KODANDA RAM

