

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

Coram

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

CRL. REVISION CASE No.895 of 2017

CRL.MP.895/17

Vajjiravelu Petitioner/Respondent

Vs.

Eswari Respondent/Petitioner

Prayer: The Criminal Revision Case has been filed under Section 397 read with 401 of the Code of Criminal Procedure praying to set aside the order dated 29.02.2016 made in F.C.M.P.No.9 of 2014 on the file of the Family Court, Vellore.

For Petitioner : Mr.E.Kannadasan

ORDER

This Criminal Revision case has been filed against the order passed by the Family Court, Vellore in FCMP No.9 of 2014, by order dated 29.02.2016. By the said order, the Family Court has directed the petitioner to pay a sum of Rs.3,000/- as maintenance to the respondent/wife.

2. The learned counsel appearing for the petitioner would contend that since the petitioner is a retired staff from the Transport Corporation, as such, he is receiving only a monthly pension of Rs.10,000/-, and out of the same, if such said amount of Rs.3,000/- is parted away for the respondent, it would be very difficult for the petitioner to survive, as he has other commitments.

3. I have gone through the judgment impugned. The learned judge has given an exhaustive discussion on the issue raised before the court below and he had come to a right conclusion that the respondent is entitled to get maintenance from the petitioner. The other allegations made by the petitioner against

the respondent have also been dealt with by the learned judge in proper perspective.

4. Though very same allegations are once again reiterated by the learned counsel for the petitioner in this revision also, on consideration of the same, this court is not inclined to accept the allegations made by the petitioner for the reason that those allegations made against the respondent may not be a ground to refuse paying maintenance to the legally wedded wife.

5. Considering all these aspects, this court is not inclined to interfere with the judgment which is impugned herein. Accordingly, the revision fails and it is dismissed at the admission stage. Connected MP stands Closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rli/tar

To

The Presiding Officer,
Family Court,
Vellore.

+lcc to Mr.E.Kannadasan, Advocate SR.No.47541

सत्यमेव जयते Cr1.R.C.No.895 of 2017

SR(CO)
GN(27/07/2017)

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