

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 9792 OF 2017

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure to quash the order dated 11-06-2017 in CrI.R.P.No. 12 of 2015 in CrI.M.P.No. 502 of 2003 in M.C.No. 13 of 1991 on the file of the learned Judge, Family Court – cum – VI Additional District Judge at Khammam (for short, 'the Court below').

2. The Court below dismissed the revision petition on the ground of suppression of facts *i.e.* regarding attaining majority by the petitioners but that is not a ground to dismiss the petition. At best, when petitioner No. 2-son attained majority and petitioner No. 3-daughter got married, they are disentitled to claim their respective shares of maintenance but the other unmarried daughter *i.e.* petitioner No. 1 and mother of the petitioners cannot be deprived of enjoying the fruits of the decree. Therefore, the impugned order is set aside while remanding the matter to the Court below to decide in accordance with law.

3. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 14-11-2017.

JSK

M.SATYANARAYANA MURTHY, J.