

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2018

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.R.C.NO.1254 OF 2010

AND

M.P.NO.1 OF 2010

Duraisamy

... Petitioner

Vs.

1.Kowsalya

2.Minor Karthika

(Rep. by her mother, 1st respondent)

... Respondents /Petitioner

PRAYER: The petition has been filed under Section 397 and 401 of Criminal Procedure Code against the order passed in M.C.No.33 of 2009 by order dated 18.06.2010 on the file of the Learned Judicial Magistrate, Dharapuram, and prays for setting aside the same and dismiss the petition filed by the respondents.

For Petitioner : No Appearance

For Respondents : Mr.R.Marudhachala Murthy

ORDER

This revision has been filed challenging the order of the Trial Court namely Judicial Magistrate, Dharapuram, in awarding the maintenance of Rs.2,000/- to the wife and minor daughter for each Rs.1,000/-, the present revision came to be filed.

2.There is no representation on behalf of the revision petitioner. The learned counsel for the respondent is present.

3.Heard the learned counsel for the respondent and this Court also perused the materials. The wife and the minor child have sought for maintenance from the Revision Petitioner. The only contention of the respondent before the trial court is that

he is unwell and only earning Rs.2,000/-, as other aspects not of dispute.

4.The learned Trial Court after analysing the entire materials, ordered maintenance. Against which the present revision has been filed.

5.On a perusal of orders of the Trial Court, this court does not find any infirmity or illegality to exercise Revisional jurisdiction. The Trial Court has very well appreciated the facts and come to the right conclusion. Hence there is no scope for interference by this Court.

6.In view of the above, this revision is dismissed on merits. Consequently, connected MP is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate
Dharapuram
M.C.No.33/2009

+1cc to Mr.M.Guru Prasad, Advocate, S.R.No.18581

CRL.R.C.No.1254 of 2010

SJ(CO)
CS/16/04/18

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