



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.08.2018
CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.R.C. (MD) No.763 of 2016

WEB COPY

Abdul Hakkim

... Petitioner

Vs

1.A.Syed Fathima

2.A.Mohammed Jilpath

... Respondents

rep.by mother & guardian

1st respondent

PRAYER: Criminal Revision Petition filed under Section 397 r/w 401 of Cr.P.C, praying, to call for the records relating to the impugned order passed in Crl.M.P.No.229 of 2015 in M.C.No.75 of 2015, dated 16.03.2016 by the Family Court, Madurai and set aside the same.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For R1 : Mr.R.Aravindan

ORDER

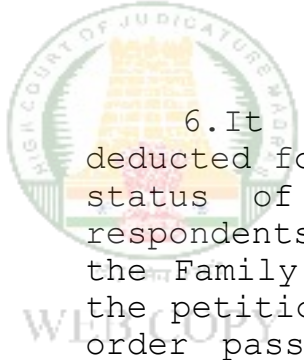
The revision petitioner herein is an Engineer in Titan Company. His gross salary is Rs.48,000/- and take home salary is Rs.12,750/- as per his salary record.

2.The trial Court in the petition filed by the respondents namely A.Shyed Fathima, wife and A.Mohammed Jilpath, minor son, age 1 ½ years, has awarded Rs.2,000/- (Rupees Two Thousand only) as interim maintenance to each of the petitioners.

3.Contending that Rs.4,000/- (Rupees Four Thousand only) for the petitioners in toto comparing to the take home salary of Rs.12,750/- (Rupees Twelve Thousand Seven Fifty only) is very excessive and therefore, the order of the trial Court dated 16.03.2016 requires reconsideration.

4.Heard the learned counsel for the revision petitioner and the learned counsel representing the respondents.

5.It is an admitted fact that the petitioner is employed in Titan Company. Though his gross salary is more than Rs.48,000/-, after deduction, his take home salary is only Rs.12,750/-.



6.It is seen from the records that nearly Rs.12,000/- is deducted for his housing loan availed from LIC. Commensurating the status of the revision petitioner, the age and need of the respondents, this Court finds no illegality in the order passed by the Family Court, Madurai, fixing Rs.2,000/- per month for each of the petitioners. Therefore, there is no need to interfere with the order passed by the Family Court, Madurai. Hence, this revision petition is dismissed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The Judge, Family Court, Madurai .

+1CC to Mr.R.Aravindan, Advocate, SR.No.80578

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RMI
ES/SKN/RSK/SAR 1/25.09.2018/2P/3C