



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.10.2018
CORAM:
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
Crl.R.C(MD)No.478 of 2018

WEB COPY

S.John Immanuel Rajan

: Petitioner/Respondent

Vs.

Hannah J Reshma

: Respondent/Petitioner

PRAYER: Revision is filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records of the Family Court Judge, Trichy in M.C.No.51 of 2015 and set aside the order dated 22.08.2016.

For Petitioner : Mr.D.Ramesh Kumar
For Respondent : Mr.T.Senthilkumar

ORDER

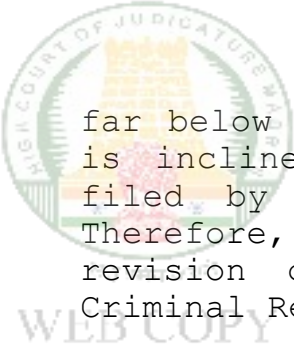
This criminal revision case is directed against the quantum of maintenance fixed by the trial Court to be paid to the daughter, who is pursuing her engineering course.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3.On hearing the arguments elaborately on previous occasion, this Court found that there is no error or excess in fixation of maintenance amount as well as the education expenses of Rs.50,000/- to be paid per year to the daughter and directed the revision petitioner herein to deposit a sum of Rs.1,00,000/-, which will be part payment towards the arrears of maintenance pending disposal of the revision petition, within a period of 10 days from 01.10.2018. According to the respondent, since the total arrears is over and above Rs.5,00,000/-, the revision petitioner herein has not paid the said sum of Rs.1,00,000/- within the time stipulated.

4.That apart, on considering the contention raised by the learned counsel for the petitioner herein who claims himself as a Teacher in CBSE School monthly and earning only Rs.7,000/-, this Court has directed the Correspondent, Annai Chellammal CBSE School, Thiruppathisaram, Nagercoil, to furnish the salary details of the revision petitioner. One T.Chithambaranathan, Correspondent of Annai Chellammal CBSE School, has filed an affidavit saying that on 07.05.2015, he issued a salary certificate that the revision petitioner has received a sum of Rs.7,000/- as monthly salary and as on date he is receiving a sum of Rs.13,000/- as monthly salary.

5.The affidavit as well as the salary certificate of the institute are filed and issued only to safeguard the revision petitioner. Since the amount of Rs.13,000/- per month is not even the basic salary of the Office Assistant and the salary fixed for the Secondary Grade Teacher in any recognized institute cannot be



far below the basic salary fixed by the State, therefore this Court is inclined to totally reject the certificate and the affidavit filed by the institute, in which the petitioner is serving. Therefore, this Court finds no merit and bona-fide in the criminal revision case filed by the revision petitioner. Hence, this Criminal Revision case is dismissed.

Sd/

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar (CS-III)

To
The Judge, Family Court, Trichy.

+1cc to Mr.D.RAMESH KUMAR, Advocate, SR.No. 91326

Cr1.R.C (MD) No.478 of 2018
and

Cr1.M.P. (MD) No.6571 of 2018
22.10.2018

CP
KK/PM/SAR-3/14.12.2018/2P-3C