



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

Crl.R.C(MD)No.361 of 2014
and
M.P. (MD) .No.1 of 2014

Samayamuthu

... Petitioner/Respondent

Vs.

1.Amar Jothi

2.Minor.Ananthavalli

3.Minor.Muniyandi @ Munishwaran ... Respondents/Petitioners
(R2 & R3 rep. By their Mother R1)

PRAYER: Criminal Revision Case is filed under Section 397 r/w Section 401 of the Code of Criminal Procedure, to set aside the order passed by the Family Court, Madurai, in M.C.No.2 of 2011, dated 23.01.2014.

For Petitioners : Mr.M.Subashbabu

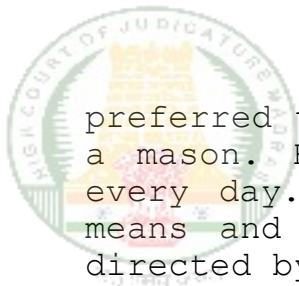
For Respondents : No appearance

ORDER

This criminal revision case has been filed by the petitioner as against the order dated 23.01.2014, passed by the Family Court, Madurai, in M.C.No.2 of 2011.

2.The respondents are the wife and the children of the petitioners herein, who have filed an application before the Family Court, Madurai, under Section 125 Cr.P.C for a direction to the petitioner herein to pay a sum of Rs.2,000/- p.m to each of the respondents herein (totally a sum of Rs.6,000/- p.m). The trial Court by order dated 23.01.2014, allowed the petition and directed the petitioner to pay a sum of Rs.1,000/- p.m to each of the respondents herein as maintenance (totally a sum of Rs.3,000/-)

3. Aggrieved over the said order, the petitioner/husband has



preferred this revision petition on the ground that he is working as a mason. He further submitted that he is not getting mason work every day. He further submitted that he is not having sufficient means and therefore, he is not in a position to make payment as directed by the Court below.

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4. In view of the above, this Court finds that even beggar is liable to maintain his wife. The petitioner claiming to be a mason cannot take out a ground that he is not in a position to maintain his wife and children. Therefore, this Court finds no ground made out for interference. Hence, the revision petition stands dismissed. Consequently, the connected M.P.(MD).No.1 of 2014 is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

vsg

To

1. The Judge, Family Court,
Madurai.

2. The Record Keeper, (2 Copies)
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-92996[F] dated 18/10/2019)

ORDER MADE IN
Cr1.R.C (MD) No.361 of 2014
17.10.2019

JMN (04.12.2019) 2P : 5C