



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.778 of 2015

And

M.P.No.1 of 2015

T.Prasanna Venkatesan

... Petitioner

Vs.

1.P.Vijayalakshmi

2.P.Balaji

3.P.Bhaskar

... Respondents

Prayer:

Petition filed under Sections 397 and 401 of Criminal Procedure Code, seeking to allow the above criminal revision petition and set aside the order passed in M.C.No.512 of 2009 by the Hon'ble III Additional Principal Judge, Chennai dated 01.04.2015.

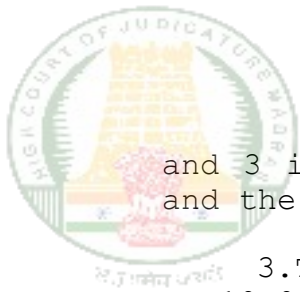
For Petitioner : Mr.S.Senthilkumar

For Respondents : M/s.A.Arulmozhi

O R D E R

The petitioner has filed this petition seeking to set aside the order passed in M.C.No.512 of 2009 by the learned III Additional Principal Judge, Chennai on 01.04.2015.

2.The facts of the case is that the marriage between the petitioner and the first respondent was solemnized on 22.08.1991 at Trichy as per the Hindu Rites and Customs and out of the wedlock respondents 2 and 3 were born to them. From the date of marriage, the petitioner is alleged to have given trouble to the first respondent and tortured her. Thereafter, the petitioner also tortured respondents 2 and 3. Unable to bear the physical and mental torture given by the petitioner, the first respondent lodged complaint before the All Women Police Station at Ponmalai, Trichy. The first respondent admitted respondents 2



and 3 in Engineering College at Pudukottai with hostel facility and the father of the first respondent paid the hostel fees.

3.The respondents filed petition seeking maintenance of Rs.10,000/- each per month before the III Additional Principal Judge, Chennai in M.C.No.512 of 2009 and after adjudication, the trial Court awarded a sum of Rs.10,000/- per month towards maintenance in favour of the first respondent and dismissed the petition in respect of respondents 2 and 3. Challenging the same, the petitioner has filed this revision.

4.The learned counsel appearing for the petitioner submitted that though the Trial Court did not award any amount in favour of the respondents 2 and 3, the sum of Rs.10,000/- per month awarded towards maintenance in favour of the first respondent is highly excessive and further submitted that the petitioner has to maintain his age old parents and prayed for reduction in the award amount.

5.Heard the submissions made by the learned counsel appearing for the petitioner as well as the respondents and perused the entire materials available on record.

6.The facts of the case and the relationship between the parties is not disputed. Since the respondents 2 and 3 had attained the age of majority, the Trial Court has not awarded any amount in their favour. The petitioner is working in Southern Railways and is earning more than Rs.40,000/- per month out of which he has been directed to pay only a sum of Rs.10,000/- per month towards maintenance in favour of the first respondent, which according to this Court is just and reasonable considering the present cost of living. Hence, this Court is not inclined to interfere with the order passed in M.C.No.512 of 2009 by the learned III Additional Principal Judge, Chennai on 01.04.2015.

7.This revision is accordingly dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The III Additional Principal Judge,
Chennai.

2. The Section Officer,
Criminal Section (Records)
High Court, Madras-104.

Cr1.R.C.No.778 of 2015
And
M.P.No.1 of 2015

CP (CO)
PR (12/11/2021)