

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2021

C O R A M

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C.NO.1275 OF 2020

&

CRL.M.P.NO.8953 OF 2020

P.N.Padmanaban

... Petitioner/
Respondent

Vs.

Minor P.Tanis,
Represented by Mother and Natural Guardian,
Mrs.K.Devi, D/o.S.D.Krishnamurthy,
Residing New No.85, Old NO.38, Raghavan Street,
(Venugopal Press), Perambur,
Chennai. ... Respondent/Petitioner

PRAYER:

Civil Revision Petition Case filed under 397 r/w 401 of
Cr.P.C. to set aside the order passed in M.C.No.385 of 2015, on
the file of III Additional Family Court, Chennai.

For Petitioner : Mr.M.Balakrishna

O R D E R

This Criminal Revision Petition has been filed to set aside
the order made in M.C.No.385 of 2015, dated 29.07.2020, on the
file of the learned III Additional Judge, Family Court, Chennai.

2. The petitioner is the father and the respondent is the
minor daughter, represented by her mother. The respondent filed
a petition in M.C.No.385 of 2019, before the Family Court,
seeking maintenance from her father. The learned III Additional
Judge, Family Court, Chennai, partly allowed the petition and
fixed the maintenance as Rs.25,000/- per month. Against the said
order, the petitioner / father preferred this Revision.

3. The learned counsel for the petitioner would contend that
the mother of the respondent is working in the software field

and as such, she is capable to maintain her daughter. It is further contended that the maintenance amount of Rs.25,000/- awarded by the learned trial Judge is exorbitant, and the same is liable to be reduced.

4. Heard the learned counsel for the petitioner and perused the materials placed on record.

5. The marriage between the petitioner and the mother of the respondent is not disputed and the paternity of the respondent is also not disputed. It is admitted position that the petitioner is earning around a sum of Rs.75,000/- per month. When such is the case, the order of the Court below directing payment of monthly maintenance in a sum of Rs.25,000/- to the respondent/minor daughter cannot be faulted. Taking into consideration, the respondent is living with her mother and not with the petitioner and also considering the present rise in prices, the maintenance awarded to the minor daughter is reasonable one and not excessive. The learned Judge considered the materials on record and ordered Rs.25,000/- per month to the minor daughter for her maintenance from the date of petition by giving cogent and valid reason.

6. In such view of the matter, this Court does not find any illegality or infirmity in the order passed by the learned Judge. Accordingly, this Criminal Revision Petition is dismissed and the order passed by the learned III Additional Judge, Family Court, Chennai, dated 29.07.2020 in M.C.No.385 of 2015 stands confirmed. The petitioner is directed to pay or deposit the entire arrears of maintenance in accordance with the order of the Family Court, Chennai in a lumpsum within a period of two months and thereafter, continue to pay the maintenance amount every month without fail. In case of default in payment of the maintenance amount, the respondent/minor daughter, represented by her mother, shall have the liberty to bring it to the notice of the learned III Additional Judge, Family Court, Chennai and the learned Judge, shall pass necessary orders. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)
//True Copy//

Sub Assistant Registrar

r n s

To

The Judge,
The III Additional Family Court,
Chennai.

+1cc to Mr.M.Balakrishna, Advocate, S.R.No.1574

Cr1.R.C.No.1275 of 2020 &
Cr1.M.P.No.8953 of 2020

KV (CO)
CS/10/02/2021



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