



CrI.R.C.No.207 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2022

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.R.C.No.207 of 2020
and CrI.M.P.No.1508 of 2020

R.Selvaraj

... Petitioner

Vs.

1.Sumathi

2.Shobana

3.Chandru (Minor)

...Respondents

Prayer: Criminal Revision Petition filed under Section 397 read with 401 of Criminal Procedure Code against the order in M.C.No.19 of 2018 dated 23.10.2019 on the file of the Family Court, Namakkal.

For Petition : Mr.R.Thanjan

For Respondents : Mr.B.Vasudevan

ORDER

This Revision has been filed by the petitioner as against the order in M.C.No.19 of 2018 dated 23.10.2019 on the file of the Family Court, Namakkal.



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2. When the matter came up for hearing on 07.12.2022, there was no representation on behalf of the petitioner and thereafter, the matter was directed to be listed today under the caption 'for disposal'. Today also none appeared on behalf of the petitioner and since the matter is related to maintenance and the petitioner is the husband, 1st respondent is the wife, 2nd and 3rd respondents are children to the petitioner and the 1st respondent born out of their wedlock. The 1st respondent/ wife filed a maintenance case in M.C.No. 19 of 2018 on the file of the Family Court, Namakkal. The learned Judge after the enquiry ordered maintenance for a sum of Rs.2,000/- (Rupees Two Thousand only) to the 1st respondent/ petitioner, a sum of Rs.1,500/- (Rupees One Thousand Five Hundred only) to the 2nd respondent and a sum of Rs.3,000/- (Rupees Three Thousand only) to the 3rd respondent/ minor child as a monthly maintenance. Aggrieved over the same, the respondent therein has filed the present Revision Petition before this Court.

3. The relationship of the parties are not in dispute and the paternity of the children are also not in dispute. Both the petitioner and the respondents are living separately, is also not in dispute. Even the evidence clearly shows that



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the petitioner admitted that even prior to their marriage he was having a lorry and earning from that business and he has also told that he is a driver.

4. Therefore, considering the facts that the petitioner is a lorry driver and he is also doing transport business by using the lorry. The respondents/ wife and minor children therein, even though at present the children had attained majority, the petitioner has maintained his children till they are attaining majority. The 2nd respondent has completed EEE and is a Graduate, who is now able to stand on her own legs. Being the natural guardian, the father had to support his children. Therefore, considering the facts and circumstances of the case, the Family Court has rightly ordered a sum of Rs.6,500/- totally to the respondents and also considering the cost of living as on date and the price index rising day by day, the order of the Family Court is reasonable and it is not exorbitant and there is not merit in the revision and thus, the Revision is liable to be dismissed.

5. Accordingly, this Revision Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

14.12.2022



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Index: Yes/ No
Speaking Order : Yes/ No
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To
The Family Court,
Namakkal.

P.VELMURUGAN,J.

gba

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