



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.195 of 2022

in

Crl.M.P. (MD) .No.2887 of 2022

WEB COPY

Kannan ... Petitioner/1st Respondent

Vs.

1. Kamatchi ...1st Respondent/Petitioner

2. Arumugam ..2nd Respondent/2nd Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records and pass an order to revise the order of the Hon'ble Family Court, Sivagangai District dated 16.09.2021 made in M.C No.1 of 2021 of awarding maintenance to the tune of a sum of Rs.3,350/- as from 28.12.2020 to the 1st respondent herein by the petitioner forthwith.

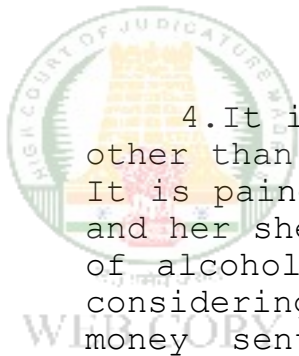
For Petitioner : Mr.G.Kalyana Sundaram

ORDER

The revision petition has been filed challenging the order passed by the Family Court, Sivagangai District, in M.C.No.1 of 2021, dated 16.09.2021, thereby ordered monthly maintenance to the tune of Rs.3,350/- payable by the petitioner to the first respondent herein.

2.The petitioner is the son of the first respondent herein. The second respondent is the another son of the first respondent. The first respondent filed a maintenance case as against the petitioner, on the ground that under the influence of alcohol, the petitioner used to beat her and also without maintaining her, driven her out from the house owned by the first respondent herein. Further, whenever her daughter sent money for her maintenance, the same was also grabbed by the petitioner and tortured her to the core. Therefore, she is in street without food.

3.However, the learned Counsel appearing for the petitioner would submit that already his father died on 20.02.2012 itself and he only arranged the marriage for his sisters. Now, he is only maintaining the first respondent. However, the first respondent is not willing to stay with the petitioner and used to stay with her daughter. Since he arranged marriage for his sisters, his wife deserted him and his is living separately with his two children. He is running a small petty shop and only earning Rs,200/- to Rs. 300/- per day.



4.It is seen from the records that the first respondent is none other than own mother of the petitioner. She is aged about 75 years. It is pained to note that the aged mother now is looking after food and her shelter from her own son. The petitioner under the influence of alcohol, used to beat the first respondent daily without even considering she is a mother. That apart, he used to receive the money sent by his sisters for the maintenance of the first respondent herein. Therefore, the Court below rightly ordered maintenance of Rs.3,350/- payable by the petitioner in favour of the first respondent.

5.This Court finds no infirmity and illegality in the order passed by the Court below. With the above observation, this criminal revision case is dismissed. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Judge, Family Court, Sivagangai District.

CrI.R.C. (MD)No.195 of 2022

03.03.2022

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