



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.457 of 2021

WEB COPY

1.Muthuselvi
2.Minor Sathya Vadhana ... Appellants/Petitioners
(P-2 represented by her mother/P-1)

Vs.

K.Karuppaiah ... Respondent/Respondent

PRAYER: Criminal Revision Case filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records and to enhance the award amount by setting aside the order in M.C.No.40 of 2018, on the file of the Family Court, Tirunelveli, dated 05.02.2021.

For Petitioners : Ms.N.Juliet Latha

For Respondent : Mr.K.Sankar

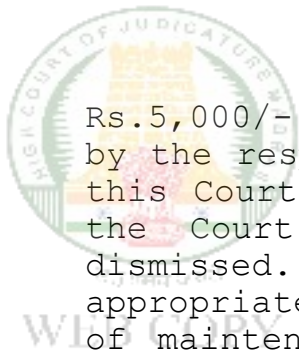
ORDER

This revision has been filed as against the order passed in M.C.No.40 of 2018, dated 05.02.2021 on the file of the Family Court, Tirunelveli, thereby partly allowed the petition for maintenance.

2.The first petitioner and the respondent herein got married on 27.11.2011 and due to their wedlock, they gave birth to the second petitioner herein. Thereafter, due to misunderstanding between them, the petitioners were driven out from the matrimonial home and living separately. While being so, the respondent filed a petition for divorce and subsequently it was withdrawn. The petitioners filed a maintenance case in M.C.No.40 of 2018 seeking monthly maintenance at Rs.30,000/- and costs at Rs.5,000/-.

3.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

4.Admittedly, the respondent is working as Tamil Pandit in the Government School and he is drawing salary, after deduction, a sum of Rs.19,000/- per month, since he borrowed loan and his part of the salary was deducted for the loan. Further, the respondent also maintaining his aged parents and as such, the Court below rightly awarded a sum of Rs.5,000/- to the first petitioner and a sum of



Rs.5,000/- to the second petitioner as monthly maintenance payable by the respondent and also costs for a sum of Rs.3,000/-.Therefore, this Court finds no infirmity or illegality in the order passed by the Court below. Accordingly, this Criminal Revision Case is dismissed. However, the petitioners are at liberty to file an appropriate application before the Court below to execute the order of maintenance in the manner known to law. Further, they are at liberty to file a petition for enhancement of compensation before the Court below in the manner known to law on change of circumstances. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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,
Tirunelveli.

Order made in
Crl.R.C(MD)No.457 of 2021
09.03.2022

PKP/22.03.2022/2P/2C