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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 01/12/2022

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The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.RC(MD)No.398 of 2022

and

Cr1.MP(MD)No.5092 of 2022

Natarajan : Petitioner/Respondent/
Respondent

Vs.

1.Ananthi
2.Minor Vignesh Raja
(2nd respondent represented
by their mother and guardian
1st respondent) : Respondents/Petitioners/
Petitioners

Prayer:- This Criminal Revision has been filed under section 397(1) r/w 401 of the Criminal Procedure Code to call for the records and set aside the order, dated 22/12/2021 passed in Cr1.MP No.1583 of 2020 in MC No.6 of 2005 on the file of the Judicial Magistrate, Devakottai.

For Petitioner : Mrs.M.Rajeswari
for Mr.S.M.Johny Basha

For Respondents : Mr.K.Rajeswaran

**ORDER**

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This Criminal Revision has been filed seeking to set aside order, dated 22/12/2021 passed in CrI.MP No. 1583 of 2020 in MC No.6 of 2005 on the file of the Judicial Magistrate, Devakottai.

2.The facts in brief:-

Originally the wife claimed maintenance for herself and the minor child in MC No.6 of 2005 and that was allowed, on 09/10/2009 by directing the husband to pay each Rs.800/- per month to them. That amount was paid by the husband regularly. But the above said amount is not sufficient for their maintenance. The husband is drawing Rs.24,679/- as monthly salary, since he is working in the Tamil Nadu State Transport Corporation. More-over, he is also having other source of income. So seeking enhancement of maintenance, the above said petition was filed by the wife and the child.

3.That was resisted by the husband stating that the son namely the second respondent has attained majority and that was suppressed and both the children



4. After hearing both sides, the trial court found that each Rs.800/- as monthly maintenance to the wife and the children namely the second respondent herein is not sufficient enough to maintain themselves. But the second respondent is concerned, finding that he attained majority, no order was passed for enhancement. So far the first respondent/wife is concerned, it was revised to Rs. 3,000/-, considering the earning capacity of the husband.

<https://www.mhc.tn.gov.in/judis>



8(1)(b) of the Prevention of Immoral Traffic Act was also considered by the trial court and that was also negatived. So the very same ground cannot be taken in this revision.

6. So I find no reason to interfere with the order of the trial court. Accordingly, this criminal revision fails and the same is **dismissed**. Consequently, connected Miscellaneous Petition is closed.

01/12/2022

Index:Yes/No
Internet:Yes/No
er

To,

The Judicial Magistrate,
Devakottai.



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G . ILANGO VAN , J

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