



Crl.R.C.(MD)No.149 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.149 of 2019
and
CrI.M.P.(MD) No.2350 of 2019

Arcokiya Gnana Anthony Charles ... Petitioner/Respondent

vs.

1.Indhira Marry

2.Minor R.C.Titus

[Rep. by the first respondent who is his mother
and natural guardian) ... Respondents / Petitioners

PRAYER : This Criminal Revision has been filed under Section 397 and 401 of Cr.P.C., to call for the records relating to the order passed by the Family Court, Tirunelveli in Cr.M.P. No.300 of 2017 in M.C. No. 23 of 2007 dated 20.12.2018.

For Petitioner : Mr.P.Samuelgunasingh

For Respondents : Mr.K.Veilmuthu



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Crl.R.C.(MD)No.149 of 2019

ORDER

This Criminal Revision Petition has been filed as against the order passed by the Family Court, Tirunelveli in Cr.M.P. No.300 of 2017 in M.C.No.23 of 2007 dated 20.12.2018 and thereby enhanced the maintenance to the tune of Rs.5,000/- each to the respondents herein.

2.The learned counsel for the petitioner would submit that the originally the Court below has ordered maintenance for a sum of Rs. 1,000/- in favour of the first respondent and Rs.750/- in favour of the second respondent. However, without substantiating the same, again the respondents filed a petition for enhance the maintenance amount. Without any proof of income of the petitioner and without any proof, the trial Court mechanically allowed the petition and enhanced the maintenance from Rs.1000/- to Rs.2000/- and from Rs.750/- to Rs.1000/- payable by the petitioner in favour of the respondents.

3.It is seen from the records that the petitioner is running a work shop for repairing Grinders and Mixi and also possessed five shops and considering those facts, the trial Court rightly ordered maintenance of



Crl.R.C.(MD)No.149 of 2019

Rs.5,000/- each in favour of the respondents and it is very meagre one.

Further, the second respondent now attained the age of majority and as such, he is not entitled for maintenance from the petitioner after attainment of his majority. However, the second respondent is entitled for maintenance till his attainment of majority. Hence, this Court finds no infirmity or illegality in the order passed by the trial Court and the revision is liable to be dismissed.

4. Accordingly, this Criminal Revision Case is dismissed.

Consequently, connected miscellaneous petition is dismissed.

23.06.2023

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NCC : Yes/No

Index: Yes/No

Internet: Yes/No

To

1. The Family Court, Tirunelveli.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C.(MD)No.149 of 2019

G.K.ILANTHIRAIYAN , J.

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