



Crl.R.C(MD).No.543 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 31.10.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C(MD).No.543 of 2019

and

Crl.M.P(MD).No.7010 of 2019

Palani Murugan

... Petitioner

Vs.

Avudaiammal

... Respondent

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to pass an order to revise the order of the Family Court, Tirunelveli, Tirunelveli District dated 30.05.2019 made in M.C.No.15 of 2018 of awarding maintenance to the tune of a sum of Rs.2,000/- as from 01.03.2018 to the Respondent herein by the Petitioner forthwith.

For Petitioner : Mr.S.Palani Velayutham

ORDER

The petitioner is the son of the respondent, he filed this revision case challenging the maintenance order passed by the learned Judge, Family Court, Tirunelveli, granting maintenance of Rs.2,000/- per month in favour of his



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mother in M.C.No.15 of 2018, dated 30.05.2019, by the learned Judge, Family Court, Tirunelveli.

2. The respondent herein at the age of 75 has filed a petition for maintenance against her son. After a full-fledged trial, the learned trial Judge granted a sum of Rs.2,000/- per month to the respondent as monthly maintenance by the impugned order dated 30.05.2019. The same was challenged by her son by way of this Criminal Revision Case before this Court.

3. According to the petitioner, the respondent and his daughter filed a civil suit before the competent civil Court claiming the right over the property, which ended in their favour and sufficient source is available to maintain herself. Further, the respondent is also receiving a pension amount of Rs.15,000/-. Hence, he seeks to set aside the order passed by the Court below.

4. This Court heard the learned counsel appearing for the petitioner and perused the materials available on record.



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5. It is seen from the records that the submission of the learned counsel for the petitioner was considered by the learned trial Judge and held that even though the respondent is receiving pension, as per the evidence of the respondent, she is residing in a rental house and she is suffering from some old age ailments, more particularly, knee pain. Hence, she is unable to lead healthy life with the pension amount alone.

6. The learned trial Judge upon perusing the specific plea of the respondent that she is suffering from knee pain and her age, has granted a sum of Rs.2,000/- as monthly maintenance. Therefore, this Court is not inclined to interfere with the order passed by the learned trial Judge.

7. Accordingly, this Criminal Revision Case stands dismissed. Consequently, connected criminal miscellaneous petition is closed.

31.10.2023

NCC : Yes/No
Index : Yes/No
Internet: Yes/No

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- To
1. The Judge,
Family Court,
Tirunelveli,
Tirunelveli District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
 3. The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

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