



Crl.R.C.No.674 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.R.C.No.674 of 2021
And
Crl.M.P.No.10912 of 2021**

Veeramani

... Petitioner

Vs.

1.Minor Lathikashri
2.Minor Padmashri
3.Minor Rohit Varshan

(Respondents 1 to 3 are rep.
by their next friend Grandfather
Thimmarayan)

... Respondents

Prayer:

Criminal Revision Case filed under Section 397 read with Section 401 of Criminal Procedure Code, seeking to call for the records relating to the order dated 17.08.2021 passed in M.C.No.58 of 2019 on the file of the Family Court, Krishnagiri.

For Petitioner : M/s.P.Mani
For Respondents : No Appearance

O R D E R

The criminal revision case has been filed seeking to set aside the



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order dated 17.08.2021 passed by the Family Court, Krishnagiri in M.C.No.58 of 2019.

2.The case of the petitioner is that the petitioner is the Father of the respondents. The respondents represented by their next friend Grandfather filed maintenance case under Section 125 of Cr.P.C. in M.C.No.58 of 2019 before the Family Court, Krishnagiri seeking monthly maintenance of Rs.30,000/-. The Court below passed an exparte order directing the petitioner to pay a sum of Rs.24,000/- to the respondents towards monthly maintenance from the date of filing of the petition. Challenging the same, the present revision has been filed.

3.The learned counsel for the petitioner submitted that the Court below, without providing any opportunity to the petitioner passed an exparte order on 16.09.2019 and the petitioner filed Cr.M.P.No.660 of 2019 seeking to set aside the exparte order dated 16.09.2019 and the said petition was dismissed on 29.01.2021 and thereafter the impugned final exparte order came to be passed. The learned counsel further submitted that the petitioner is employed as Police Constable



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and the petitioner's wife is also a Police Constable and all the three children are with the petitioner's wife and since she is also a earning member, the impugned order directing the petitioner to pay a sum of Rs.24,000/- to the respondents towards monthly maintenance is not sustainable one.

4.Heard the learned counsel for the petitioner. Though notice was served on the respondents, there is no representation for the respondents. Considering the pendancy of the case, this Court is inclined to dispose of the case based on the materials available on record.

5.The facts of the case and the relationship between the parties is not disputed. Admittedly, the children of the petitioner are under the care and custody of his wife and they are represented by their maternal Grandfather. It is equally un-disputed fact that the petitioner is working as a Police Constable and would earn more than Rs.40,000/- per month. Hence, considering the present cost of living and the educational expenses of the respondents, the amount awarded by the Court below towards monthly maintenance is just and reasonable and warrants no interference.



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M.DHANDAPANI,J.

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6.This criminal revision case is dismissed. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Family Court,
Krishnagiri.

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