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Crl.R.C.No.239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.03.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.239 of 2024
and
Crl.M.P.No.2140 of 2024

P.Senthilkumar, S/o Palanichamy

.. Petitioner

Vs.

1. M.Krishnaveni

2. Minor Deepshika, D/o P.Senthilkumar,
Minor represented through first respondent,
mother and natural guardian

.. Respondents

Criminal Revision Case filed under Section 397(1) read with Section 401 of the Cr.P.C. against the order dated 27.11.2023 passed in M.C.No.28 of 2017 on the file of the Family Court, Erode.

For petitioner : Mr.C.Vakeeswaran

For respondents : Mr.G.R.Hari

ORDER

Challenging the order passed by the Family Court, Erode in M.C.No.28 of 2017, the present revision petition is filed by the husband stating that the

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petitioner is receiving salary of Rs.60,000/-, whereas the Family Court failed to consider the same and ordered Rs.25,000/- as maintenance, which warrants interference by this Court.

2. It is to be noted that the maintenance case is the summary procedure and only based on the relief and the income, the quantum of maintenance will be decided. There is no material to show that the respondent/wife is earning and is able to maintain herself with the minor child. In the absence of the same, and considering the occupation of the revision petitioner and also his income and further taking into account the price index being varying and rising day-by-day and the cost of living as on date, the Family Court granted Rs.15,000/- as maintenance to the first respondent and Rs.10,000/- to the second respondent-minor child.

3. Considering the facts and circumstances of the case, the maintenance awarded by the Family Court is reasonable and not exorbitant and there is no perversity in the same. This Court does not find any reason to interfere with the order passed by the Family Court. Accordingly, the revision petition is dismissed. The miscellaneous petition is closed.

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1. The Judge, Family Court, Erode.
2. The Section Officer, Criminal Section (Records), High Court, Madras.

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P.VELMURUGAN, J

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