SS,J
Crl.R.C.No. 1660 of 2008
Dated 30.10.2026

APHC010446452008

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3560]
(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 1660 OF 2008

Between:

1. MERUGUMALA SRINIVASA RAO, S/O NAGESWARA RAO, R/O MOVVA VILLAGE, KRISHNA DIST.
2. MERUGUMALA CHINTAIAH,, S/O NAGESWARA RAO, R/O MOVVA VILLAGE, KRISHNA DIST.
3. MERUGUMALA NAGESWARA RAO,, S/O VENKATESWARA RAO, R/O MOVVA VILLAGE, KRISHNA DIST.
4. MERUGUMALA RAGHAVULU,, S/O NAGESWARA RAO, R/O MOVVA VILLAGE, KRISHNA DIST.

...PETITIONER(S)

AND

1. MERUGUMALA RUKMINI, W/O SRINIVASA RAO, HOUSEWIFE, UNDER CARE AND PROTECTION OF HER FATHER KARUMURI VEERABHADRA RAO, MOVVA VILLAGE, KRISHNA DISTRICT
2. THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC PROSECUTOR, HIGH COURT OF A.P., HYDERABAD.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. YALLABANDI RAMATIRTHA

Counsel for the Respondent(S):

1. MANIKANTESWARA RAO KOTHA
2. PUBLIC PROSECUTOR
3. LEGAL AID

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

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ORDER:

1. Instant Criminal Revision Case has been preferred against Judgment dated 30.09.2008 passed din Criminal appeal No.81 of 2008 on the file of I Additional District and Sessions Judge, Krishna district at Machilipatnam, wherein and where under he confirmed the Order, dated 22.04.2008 in D.V.C.No.2 of 2007 on the file of Additional Judicial Magistrate of First Class, Avanigadda.

2. Present petitioners are the Respondents before the learned Magistrate in a proceeding under Protection of Women from Domestic Violence Act. The proceeding was initiated by 1st respondent - wife of petitioner herein.

3. Heard Sri Borra Siva Sankara Rao, learned Counsel for Petitioners, Sri Kotha Manikanteswara Rao, learned Legal-Aid counsel for Respondent No.1; and Sri Panini Somayaji, learned Additional Public Prosecutor for Respondent No.2/State. Perused the impugned order passed by learned Magistrate concerned.

4. Learned counsel for Petitioners would submit that the learned Trial Court has awarded an amount of Rs.500/- (Rupees five hundred only) per month towards education expenses of aggrieved person's son i.e., son of 1st

respondent. The order was passed in the year 2008. Said son of aggrieved person has become major, for which the amount of Rs.500/- (Rupees five hundred only) per month cannot allowed to be continued.

5. It appears that the name of the son of aggrieved person was not mentioned in the proceedings before learned Trial Court. Rather, son of aggrieved person was not a party in the proceedings. However, learned Trial Court has passed the order in the year 2008, wherein he has observed in paragraph No.3 of the order that the age of son of the aggrieved person as 12 years at that time. Following such observation, we can hold that the person who was aged about 12 years in the year 2008 must have become major. A person who has become major is not entitled to claim maintenance under Domestic Violence Act. However, it appears that the order passed by learned Magistrate is well reasoned and it suffers no illegality. Even if, the son of aggrieved person has become major is well established, he is not entitled to any monitory compensation in terms of order passed by learned Magistrate.

6. Accordingly, the order passed by learned Magistrate concerned, affirmed by learned Appellate Court is modified to that effect only.

7. The petitioner is directed to pay the maintenance amount as per direction of Magistrate but for educational expenses of aggrieved person’s son.

Arrears if any, has to be paid within six (06) months, in six (06) equal monthly installments.

8. Under the above observation, the Criminal Revision Case has been disposed of.

Consequently, pending miscellaneous applications, if any, shall stand closed.

JUSTICE SUBHENDU SAMANTA

Dated 30.10.2026
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THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

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Dated:30.10.2026.

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