



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

MONDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 555/2023

Between:

1. PATNALA NAGARAJU, S/O SIVA KUMAR, AGED ABOUT 32 YEARS,
HINDU, OCC. EMPLOYEE, R/O D.NO. 3-27-11, JAWAHARNAGAR,
NEAR JANDACHETTU, CHIRALA, PRAKASAM DISTRICT, A.P.

...PETITIONER

AND

1. PATNALA KORLAM SIREESHA, w/o Nagaraju, Aged about 28 Years,
Hindu, Occ. House-wife, R/o 4-50-3/2, D.5 Cheruvu, Tadepalligudem
Town, West Godavari District, A.P.

...RESPONDENT

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the I.A NO. 731 OF 2022 Order Dt.28-11-2022 in H.M.O.P No. 55 of 2022 on the file of the Honourable Senior Civil Judge at Chirala, Prakasam District. and pass

Counsel for the Petitioner:

1. PHANI KIRAN.M

Counsel for the Respondent:

1. MADHAVI PUNNA

The Court made the following:

ORDER:

The petitioner is the husband who filed HMOP No.55 of 2022 on the file of Senior Civil Judge, Chirala, for dissolution of marriage. In the said HMOP, the respondent/wife filed an interlocutory application vide in I.A.No.731 of 2022 for grant of maintenance on the ground that she is unable to maintain herself, that the husband is working as an employee in Municipal Office, Bapatla, and is drawing salary of Rs.60,000/- and that the husband has intentionally deserted her and neglected to maintain. The petitioner/husband filed counter denying the allegations and *inter-alia* contended that he is not drawing Rs.60,000/- per month and that he is only an outsourcing employee in Bapatla Municipality, getting salary of Rs.15,000/- and after deductions receiving Rs.12,000/- per month towards his salary, he is incurring expenditure to a tune of Rs.3,000/- to travel to Bapatla to attend his duty and further he has obtained loans for his son's treatment to the tune of Rs.12,00,000/- and is discharging the same with interest. After hearing the parties, the trial Court directed the petitioner/husband herein to pay Rs.7,000/- per month towards maintenance from the date of the order and to continue to pay monthly maintenance and legal expenses on or before 5th of every succeeding month. Assailing the same, the present Civil Revision Petition has been filed.

2. Heard Sri M.Phani Kiran, learned counsel for the petitioner/husband and Ms Madhavi Punna, learned counsel for the respondent/wife. Respondent/wife engaged legal aid counsel to contest the civil revision petition.

3. In elaboration to grounds of revision and the contents of the counter, learned counsel for the petitioner submitted that the petitioner is an outsourcing

employee and he is drawing only Rs.16,000/- per month. The petitioner/husband has spent lot of money for treatment of his son by obtaining loans with interest and he is discharging the said loan amount from his salary but to his misfortune, the son passed away. In the said circumstances, directing the petitioner/husband to pay Rs.7,000/- is too high. He further contend that the trial Court did not take into consideration about the employment of the wife, who is drawing Rs.10,000/- per month (private job), while adjudicating the wife's application. As such, prayed to pass appropriate orders.

4. On the other hand, learned counsel for the respondent contended that the wife is not employed, and as she is unable to meet her daily expenses and the petitioner/husband has deserted her, the application was filed. The Court has granted only Rs.7,000/-, which is not even sufficient to meet her daily needs in the present-day scenario. She further submitted that now as on date the petitioner is drawing Rs.19,500/- and no interference is required, the revision is meritless and liable to be dismissed.

5. Perused the record and considered the submissions.

6. The respondent/wife filed interlocutory application for grant of maintenance as she is unable to maintain herself and the husband intentionally deserted and neglected to maintain her, duly contending that the husband is drawing a salary of Rs.60,000/- and working in Bapatla Municipal Office. The husband/petitioner herein denied the averments and also the drawing of salary of Rs.60,000/- and duly contending that he is only drawing Rs.16,000/- and out of it a certain amount has been deducted for his travel expenses to go to the office and also to discharge the loan amount which was taken to give treatment of his son.

Evidently, there is no material placed on record as to how much amount he is paying monthly towards discharge of loan amount. Learned counsel for the respondent placed on record the present salary particulars of the petitioner, which show that he is drawing Rs.19,500/-. The trial Court granted Rs.7,000/- per month for maintenance. The trial Court has taken due note of the facts and circumstances of the case in right perspective, including the pay particulars of the petitioner/husband and granted Rs.7,000/-, which is commensurate with the income of the petitioner. There are no grounds to interfere with the order impugned and the same is liable to be dismissed.

7. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 09th February, 2026

JLV

86

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 555/2023

Date: 09th February, 2026

JLV