

APHC010254422023



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

[3396]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

**PRESENT
THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**

CRIMINAL REVISION CASE NO: 479/2023

Between:

1. MUSUNURU SURESH, S/O VASANTHA RAO, AGED ABOUT 35 YEARS OLD. OCC. TPA (DR.NTTPS), R/O D.NO.2-26, INDUPALLI VILLAGE. UNGUTURU MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. MUSUNURUCHENNU NANDINI YADAV, W/O M. SURESH, AGED ABOUT 30 YEARS OLD, OCC. HOUSEWIFE, R/O D.NO.57-1-30/2. KARANAMGARI STREET, PATAMATA. VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH

2. MUSUNURU AMRUTHA, D/O M. SURESH, AGED ABOUT 8 YEARS OLD.

3. MUSUNURU HARSHITHA, D/O M. SURESH, AGED ABOUT 8 YEARS OLD. (RESPONDENTS NO. 2 AND 3 BEING MINORS ARE REPRESENTED BY THEIR MOTHER I.E. THE RESPONDENT NO. 1 HEREIN)

...RESPONDENT(S):

Counsel for the Petitioner:

1. SANKU DURGA RAMACHANDRA RAO

Counsel for the Respondent(S):

1. VIVEKANANDA VIRUPAKSHA

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 479/2023****JUDGMENT:**

The present Criminal Revision Case has been filed under Section 397 and 401 of Cr.P.C., challenging the Order dated 19.01.2023 passed by the learned XIV Additional District & Sessions Judge-cum-Judge, Additional, Family Court, Vijayawada in F.C.O.P.No.223 of 2021, granting maintenance @Rs.10,000/- per month to the respondent Nos.1 to 3 herein.

2. Heard Mr.S.R.Sanku, learned counsel for the petitioner and Mr.Vivekananda Virupaksha, learned counsel for the respondents.

3. Learned counsel for the petitioner would submit that the petitioner herein is the husband of the respondent No.1 against whom, a case in F.C.O.P.No.223 of 2021 has been filed by the respondent Nos.1 to 3 seeking maintenance. He would further submit that the learned Trial Judge without considering the financial constraints and statutory liabilities of the petitioner including his personal expenses, dependent family members and other unavoidable commitments, granted maintenance @Rs.10,000/- per month to the wife and children, though she is capable of maintaining herself.

4. Considering the submissions made, on perusal of the material on record and the impugned order, this Court, while exercising its revisional jurisdiction, does not sit as a Court of appeal. The scope of interference under revision is limited and is to be exercised only when there is a patent illegality, material irregularity, or perversity in the order passed by the Trial Court. Unless the

findings recorded by the learned Trial Judge suffer from jurisdictional error or are manifestly erroneous, this Court cannot interfere with the order. In the present case, the petitioner/husband, having participated in the trial before the Trial Court, chose not to adduce any evidence in support of his pleadings. On careful perusal of the impugned Order of the learned Trial Court, there are no material irregularities. There is no flagrant miscarriage of justice. No perverse findings. Hence, this criminal revision case is liable to be dismissed.

5. In view of the aforementioned premises, since there are no grounds to entertain revision against the impugned Order, this Criminal Revision Case is dismissed. There shall be no order as to costs.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 20.04.2026
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 479/2023

Date 20.04.2026

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