

IN THE COURT OF THE JUDICIAL MAGISTRATE OF I CLASS,
SPECIAL MOBILE COURT, ONGOLE.

Present :: **Sri Kumar Vivek**
Judl. Magistrate of I Class,
Special Mobile Court, Ongole.

Friday, this the 9th day of September, 2016

Crl.M.P.No. 4089 of 2015 in DVC.No. 1 of 2015

Between:

Ravuri Sujatha W/o Hanumantha Rao, 45 years,
R/o Near old market centre, Neelayapalem, Ongole. ... Petitioner
Vs.

Ravuri Hanumantha Rao S/o Venkateswarlu, 50 years,
R/o Jammulapalem village, Tangutur mandal. ... Respondent

This petition is coming on 08-09-2016 for final hearing before me in the presence of Sri N.Mohan Das, Advocate for the petitioner and of Sri P.Srinivas, Advocate for the respondent and upon perusing the material available on record, upon hearing the arguments on both sides and having stood over for consideration till this day, this Court delivered the following:-

// O R D E R //

1. This is petition filed for granting interim monthly maintenance @ Rs. 25,000/- by the petitioner from the respondent till the disposal of DVC 1 of 2015.
2. The factual matrix of the case of the petitioner as set out in the petition in brief is that the marriage of the respondent with the petitioner was performed in the year 1995 at Tirumala according to Hindu Rites and customs, thereafter, she led happy marital life at Edigamitta, Singarayakonda for a period of 5 years, and on 15-02-1996 they are blessed with one female baby by name Ravuri Saivani, and after the birth of said baby the respondent started to harass her on the ground that she had given birth to a female baby; that later the petitioner came to know that the respondent has married another woman by name Radha and he had put a separate family with her at Jammulapalem village, Tangutur mandal; that the respondent never maintained her nor her daughter, and later she had performed the marriage of her daughter; that on 31-07-2015 the respondent had beaten her indiscriminately and necked her out of her matrimonial house, and she took shelter at the house her daughter at Ongole; that the respondent is having immovable properties at Tangutur and he had also doing real estate business and earning Rs.70,000/- per month; that the

respondent is having Ac.3-12 cents of land in Sy.No.1312/2 and 1320/2 at Jammalapalem village; that the petitioner is suffering with diabetes and she is not doing any work and depending upon her daughter; that the medical expenditure of the petitioner is about Rs.15,000/- and the petitioner require interim monthly maintenance @ Rs.25,000/- from the respondent, therefore, this petition has been filed.

3. Counter is filed on behalf of the respondent denying the material averments of the petition and submitting that the respondent has never married the petitioner, and he never led marital life with the petitioner at any point of time, therefore, prayed this Court to dismiss the petition with exemplary costs.

4. Heard arguments advanced on both sides.

5. Perused the record.

6. **Point for determination:**

"Whether the petitioner is entitled to interim monthly maintenance @ Rs.25,000/- from the respondent on the ground put forth by her?"

7. **Point:**

The petitioner claims that she is the legally wedded wife of the respondent. The respondent disputes the same. The original Aadhar card, original Voter card and original birth certificate of one Ravuri Vani *prima faice* discloses that the petitioner is the wife of the respondent and one Ravuri Vani is their daughter. The dispute between the parties about their relationship as wife and husband cannot be adjudicated at this stage, and the same has to be adjudicated after allowing both sides to adduce evidence in support of their respective contentions during the course of full fledged trial in the case. The petitioner submits that the respondent has neglected to maintain her and she has taken shelter in the house of her daughter. The petitioner is claiming that she is incurring Rs.15,000/- towards treatment of her diabetes ailment, but the petitioner did not produce any medical report, prescriptions and bills to show that she is suffering with diabetes and incurring Rs.15,000/- towards her treatment for the said ailment. The petitioner also did not produce any document to show that the respondent is having any immovable properties at Tangutur and Jammalapalem villages.

8. Accordingly, in the circumstance of the case, this Court order the respondent to pay interim monthly maintenance @ Rs.4,000/- to the petitioner from the date of this order till the disposal of DVC 1 of 2015 on or before 10th of every succeeding month without fail, failing which the petitioner is entitled to recover the same through the process of law. This point is answered accordingly.

9. In the result, the petition is allowed in part, directing the respondent to pay interim monthly maintenance @ Rs.4,000/- to the petitioner from the date of this order till the disposal of DVC 1 of 2015 on or before 10th of every succeeding month without fail, failing which the petitioner is entitled to recover the same through the process of law.

Dictated to the Personal Assistant, transcribed by him, corrected and pronounced by me in the open court on this, the 9th day of September, 2016.

JUDL.MAGISTRATE OF I CLASS,
SPL.MOBILE COURT, ONGOLE.

APPENDIX OF EVIDENCE
WITNESS EXAMINED

- NIL -

JUDL. MAGISTRATE OF I CLASS,
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