



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 1426 of 2026

P.Dhinakaran

..Petitioner(s)

Vs

1. K.Ganagavalli

2. D.Mithilesh Shankar
S/o. P.Dhinakaran,
Minor 15 years,
Rep.by His
Mother and Natural Guardian

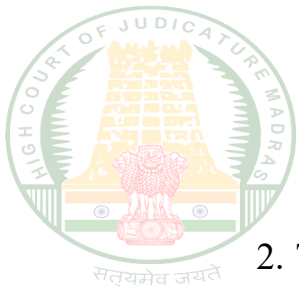
..Respondent(s)

Prayer: To call for the records pertaining to the order passed in CrI.M.P.No.583 of 2026 in MC.No.26 of 2018 dated 29.05.2026, by the Additional Mahila Court (Judicial Magistrate Level) Alandur.

For Petitioner(s): Mr.J.Nagarajan

ORDER

This Criminal Revision Case has been filed challenging the order dated 29.05.2026 by which the condonation of delay application filed by the petitioner for recalling the order dated 24.01.2025 passed by the learned Judicial Magistrate, Additional Mahila Court, Alandur, awarding the maintenance of Rs.5,000/- to the second respondent/Son and Rs.10,000/- to the first respondent/Wife as maintenance.



2. The delay application was filed with an affidavit stating that the delay in recalling the order dated 24.01.2025. The learned Trial Court, vide impugned order dated 29.05.2026, allowed the condonation of delay application and directed the petitioner to pay a sum of Rs.2,00,000/- as arrears of maintenance to the respondents. Aggrieved by the aforesaid order, the petitioner has filed the present criminal revision case.

3. The facts of the case in short are as follows:

The respondents have filed a maintenance case before the learned Additional Mahila court, Alandur in MC.No.26/2018 against the petitioner seeking an order of monthly maintenance from the petitioner for a sum of Rs.20,000/- per month to the wife and son. After considering the entire evidence on record, the learned Family Court vide order dated 24.01.2025, directed the petitioner husband to pay a sum of Rs.5,000/- to the son and Rs.10,000/- to the wife as maintenance. Further, the Family Court has directed the petitioner to pay entire arrears, from the date of filing of maintenance case till the date of the order, within a period of three months.

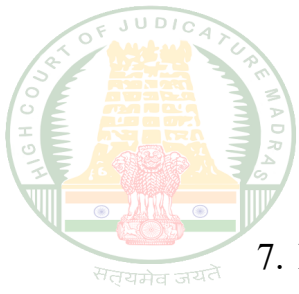
4. It was also submitted by the learned counsel for the petitioner that the total arrears amount as on date is Rs.13,50,000/- as the order was passed as ex-parte. Thus, the petitioner filed application for recalling the ex-parte order dated



24.01.2025. Apart from the above, it is not in dispute that the total arrears amount was ordered to be paid at the rate of Rs.5,000/- to the son and Rs.10,000/- to the Wife from the date of filing of the maintenance case till the date of order. The petitioner has not paid a single penny of maintenance and arrears till today. After 260 days of passing the order by the learned Family court for granting the maintenance, the petitioner woke up and filed the recall application for the ex-parte order dated 24.01.2025.

5. The learned Trial Court, considering the grounds and genuineness of the case, recalled the order with condition that the petitioner was directed to pay a sum of Rs.2,00,000/- from the arrears of maintenance to the respondents.

6. It is also observed in the order that at the time of filing of recall application, the total arrears comes to Rs.13,00,000/- It was also observed that the trial Court, while allowing the delay condonation that minor child is with the wife and she is taking care of all his need including the necessary expenditure. Thus, the Court has deemed and was appropriate to levy some amount for recalling the ex-parte order and the Court directed the petitioner herein to pay a sum of Rs.2,00,000/- from the arrears amount to the respondent. Aggrieved by the aforesaid order passed by the learned Trial Court dated 29.05.2026, which was allowed with condition to pay a sum of Rs.2,00,000/- from the arrears to the respondent wife, the petitioner has filed the present revision.



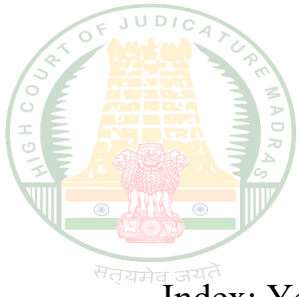
7. I have perused the order dated 29.05.2026 as well as the order dated 24.01.2025 passed by the learned Additional Mahila court, Alandur, by which, the maintenance order has been passed and also the grounds raised by the learned counsel for the petitioner in the present revision. I do not find any illegality in the order passed by the Family Court which is just, proper and reasoned. Thus, this Court do not find any justification to interfere in the impugned order. The present revision petition lacks merits and the same is liable to be dismissed.

8. Accordingly, in view of the observation made above, this revision is dismissed. The respondents are at liberty to move an application for execution before the learned trial Court. Upon filing of such execution application, the trial Court is directed to proceed the matter in accordance with law within a period of two months from today without granting any unnecessary adjournments to the parties

9. Registry is directed the communicate a copy of this order forthwith to the trial Court for its necessary compliance and information.

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16-07-2026



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SHAMIM AHMED, J.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

To

The Additional Mahila Court (Judicial Magistrate Level)

Alandur.

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