

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Dr. Justice S. VIMALA

CRIMINAL MISCELLANEOUS PETITION No.16156 of 2017

IN CRL RC.1388/2017

PALANI,

[PETITIONER]

Vs

1 NADIYA,

[RESPONDENT]

2 MINOR POOJITH,

Petition praying that in the circumstances stated therein the High Court will be pleased to direct the Family Court, Vellore to accept the sum of Rs.1,75,000/- as per along with payment schedule in Cr.M.P.No.753 of 2017 in FCMC 37 of 2015 towards deposit of 50 % of the arrears of maintenance as ordered by this Honble Court on 02.11.2017 in Crl.M.P.No.13573 of 2017 in Crl RC 1388 of 2017.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.PALANI SELVARAJ, Advocate for the petitioner the court made the following order:-

It is represented by the learned counsel for the petitioner/husband that the learned Judge of Family Court at Vellore, by an order dated 04.07.2017 in F.C.M.C.No.37 of 2015 directed the husband to pay Rs.8000/- per month to the wife and Rs.6000/- per month to the minor child and also directed to pay arrears of maintenance within two months. Challenging the same, this revision has been filed. This Court, while granting stay of proceedings in F.C.M.C.No.37 of 2015 directed the husband to pay 50% of the arrears of maintenance within three weeks from the date of receipt of a copy of this order. As the petitioner was unable to mobilize funds, the conditional order has not been complied with. Hence, the petitioner/husband seeks time to deposit the arrears of maintenance.

Heard the learned counsel for the respondents.

Considering the reasons stated, the husband shall take Demand Draft for 50% of arrears of maintenance amount in the name of the mother of the minor child and sent it by Registered post by Acknowledgement due.

The demand draft should be given to the mother of the minor child within three days from the date of receipt of a copy of this order, failing which the stay granted shall stand vacated automatically.

Post the main case after vacation.

-sd/-
22/12/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE FAMILY COURT
VELLORE

+1 C.C. to M/S.PALANI SELVARAJ Advocate on payment of necessary charges Sr.No.23240

Order
in
CRL MP.16156/2017
in
CRL RC.1388/2017

Date :22/12/2017

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MD: 03/01/2018