

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Cr1.R.C.No.90 of 2018

and

Cr1.M.P.No.686 of 2018

J.Shokkath Ali ...Petitioner/Respondent

...Vs...

1.J.Saithu Nisha

2.Minor S.Abdul Seeladudeen,

Rep.by his mother J.Saithu Nisha ...Respondents/petitioners

PRAYER: Petition filed under Section 397 read with 401 of the Criminal Procedure Code, to call for the records pertaining to the issue of maintenance of Rs.5000/- per month for interim maintenance in M.P.No.3 of 2017 in M.C.No.438 of 2016 by order dated 22.05.2017 on the file of the Principal Family Court at Chennai and set aside the same.

For Petitioner : Mr.K.Murugesan

For Respondents : Mrs.Anna Shobana Premila

O R D E R

This Criminal Revision Petition has been filed under Section 397 read with 401 of the Criminal Procedure Code, to call for the records pertaining to the issue of maintenance of Rs.5000/- per month for interim maintenance in M.P.No.3 of 2017 in M.C.No.438 of 2016 by order dated 22.05.2017 on the file of the Principal Family Court at Chennai and set aside the same.

2. By consent of both the parties, this revision has taken up for final disposal.

3. By an order dated 22.05.2017, the respondent/husband was directed to pay a sum of Rs.5,000/- per month to the petitioners towards the interim maintenance from the date of petition viz., 24.10.2016.

4. Aggrieved by the said order, the petitioner/husband has preferred this Criminal Revision.

5. After notice, the matter has come up for hearing. It is stated by the counsel for the husband that the petitioner deposited arrears of the award amount. After going through the records as well as the counter filed in the M.C, I am of the opinion that the ends of justice would be met on payment of Rs.3000/- as interim maintenance against Rs.5,000/- as awarded by the trial Court.

6. With the above modification, this Criminal Revision Petition is allowed. The Principal Family Court, Chennai shall consider the main case of M.C.No.438 of 2016 and dispose of the case within a period of twelve weeks from the date of receipt of a copy of this order. The interim maintenance revised now shall be continued to be paid by the petitioner. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To
The Principal Family Court at Chennai

+1cc to Mr. ANNA SHOBANA PREMILA Advocate, S.R.No. 28977

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SKV(CO)
TR(08/05/2018)

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