

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6748 of 2014

T.Esadiyal Punithavathi

... Petitioner/Petitioner/Petitioner

Vs.

J.Patrick

...Respondent/Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order passed by the Principle District Court, Villupuram in Crl.R.P.No.43 of 2012 dated 01.04.2013 confirming the order passed by the Judicial Magistrate, Thirukovilur in M.C.No.6 of 2011 dated 16.05.2012.

For Petitioner : Mr.S.B.Viswanathan

For Respondent : Mr.X.Selvam Sounder

ORDER

This petition has been filed to set aside the order passed by the Principle District Court, Villupuram in Crl.R.P.No.43 of 2012 dated 01.04.2013 confirming the order passed by the Judicial Magistrate, Thirukovilur in M.C.No.6 of 2011 dated 16.05.2012.

2. It is seen that the petitioner filed a petition in M.C.No.6 of 2011 seeking maintenance on the file of the learned Judicial Magistrate, Thirukovilur and the said petition was rightly dismissed on the ground that when divorce is granted on the ground of mutual consent, no wife is entitled for any maintenance as against which she filed revision before the learned Principal District Court, Villupuram in Crl.R.P.No.43 of 2012 and the same was also dismissed.

3. At this stage, against the above said order, the present petition filed by the petitioner is nothing but second revision. Therefore it is not maintainable under law. That apart, as against the petitioner was granted divorce on mutual consent. Therefore, this petition is not at all maintainable as such this

petition is devoid of merits.

4. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

pds/lok

To

1.The Principle District Court,
Villupuram

2.The Judicial Magistrate,
Thirukovilur.

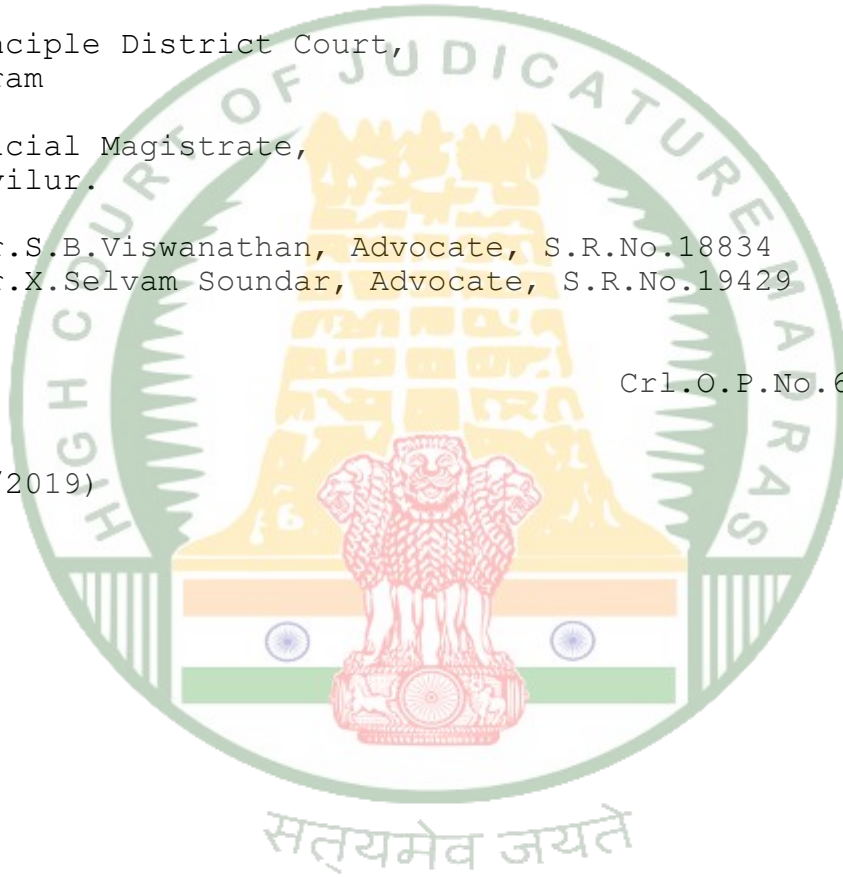
+1cc to Mr.S.B.Viswanathan, Advocate, S.R.No.18834

+1cc to Mr.X.Selvam Soundar, Advocate, S.R.No.19429

Crl.O.P.No.6748 of 2014

KJ (CO)

RRS (02/05/2019)



WEB COPY