

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2020

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN

Crl.R.C.No.43 of 2020
& Crl.M.P.No.210 of 2020

Madhan Mohan

... Petitioner/Respondent

1. P.Priyadharshini

vs.

2. M.Tejoyini (Minor)

3. M.Jyosini (Minor)

(R-2 and R-3 Minors, Represented by natural
Guardian and mother, R-1)

... Respondents/Petitioner

Prayer:- Criminal Revision Case filed under Section 397 read with Section 401 Cr.P.C. seeking to set aside the order dated 21.11.2019 passed by the III Additional Family Court, Chennai, in M.P.No.813 of 2018 in M.C.No.311 of 2017.

For Petitioner :Mr.C.Sureshkumar

For Respondents :Mr.C.M.Mohanasundaram

O R D E R

Heard both sides and perused the materials on record.

2. The order dated 21.11.2019 passed by the learned III Additional Principal Judge, Additional Family Court, Chennai, in M.P.No.813 of 2018 in M.C.No.311 of 2017, fixing the monthly maintenance at Rs.30,000/- per month in favour of the respondents, is under challenge, at the instance of the petitioner (husband of R-1 and father of R-2 and R-3), in this Revision Petition.

3. Before going into the merits of the case, it is to be pointed out that by order dated 09.01.2020, this Court has granted an order of interim stay on a condition that the petitioner herein shall deposit the arrears of maintenance

amount from the date of petition at the rate of Rs.20,000/- per month, to the credit of M.C.No.813 of 2018, on the file of the trial court, within a period of three weeks from the date of receipt of a copy of that order. According to the learned counsel for the respondents, the conditional order passed by this Court, on 09.01.2020, has not been complied with by the petitioner, thus far.

4. The learned counsel for the petitioner submitted that there is every possibility of settlement, if this matter is referred to mediation center.

5. Since contentions were raised by both sides touching the merits of the case, this Court is of the view that this Case can be disposed of, leaving it open to both the parties to agitate the issue before the trial court, by issuing the following directions:-

(i) The learned III Additional Principal Judge, III Additional Family Court, Chennai, if found that the matter is likely to be settled, shall refer the matter to the Mediation Center, stipulating some time limit. If not settled before the Mediation Center, the learned Judge shall dispose of the case in M.C.No.311 of 2017, pending on his file, on merits, in accordance with law and uninfluenced by anything said in this order, after affording due opportunity to both parties, within a period of four months from the date of receipt of the report from the learned Mediator.

(ii) Pending disposal of the Maintenance Case, the petitioner herein is directed to pay a sum of Rs.20,000/- as interim maintenance amount to the respondents therein, regularly without any default, payable on or before 5th of every succeeding English Calendar month.

(iii) The arrears calculated at the rate of Rs.20,000/- per month from the date of petition for maintenance shall be paid by the petitioner in two instalments. The first instalment shall be paid on or before 17th March 2020 and the second instalment shall be paid on or before 17th April 2020.

6. With the above directions, this Criminal Revision Case is disposed of. Consequently the connected Crl.MP is closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

srk

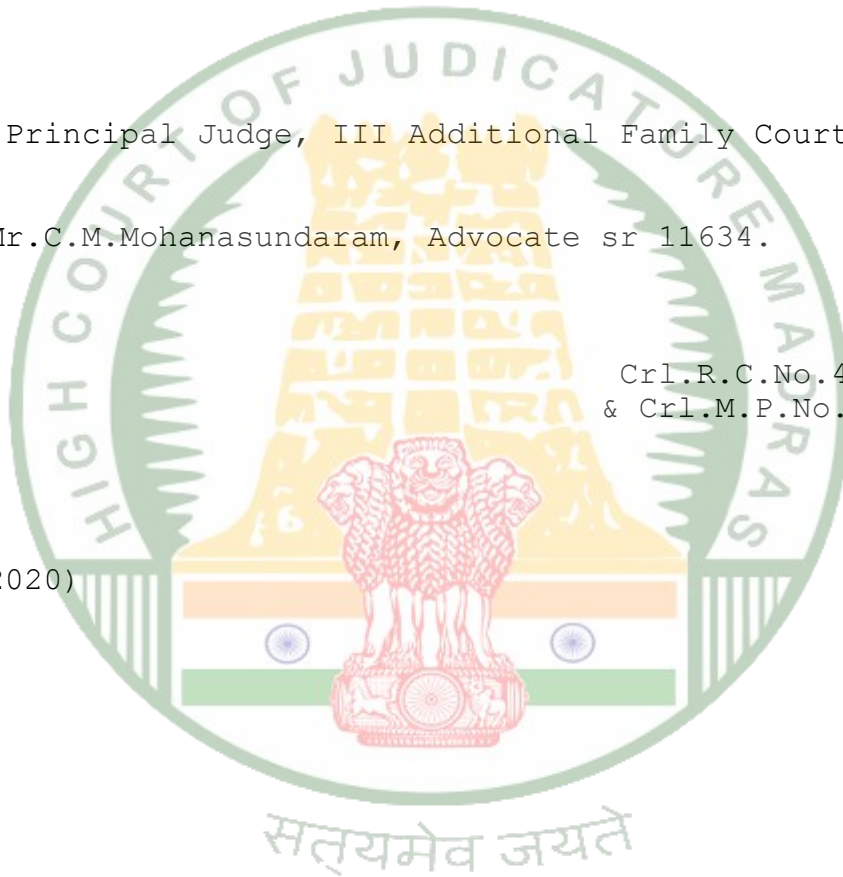
To

1.The III Principal Judge, III Additional Family Court,
Chennai

+1 CC to Mr.C.M.Mohanasundaram, Advocate sr 11634.

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NRJK (CO)
SP(12/03/2020)



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