

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.1043 of 2018

M.Gangadharan

Vs

.. Petitioner

G.Sangeetha

.. Respondent

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. against the order passed in CMP.No.60 of 2017 in M.C.No.4 of 2017 on the file of the learned Additional Principal Judge, Additional Family Court, Coimbatore, dated 17.1.2018.

For Petitioner :Mr.A.Deivasigamani

For Respondents :Mr.D.Vijayababu

ORDER

The petitioner and the respondent are husband and wife. Their marriage took place on 18.2.2001 at Lakshmi Hall, Pothanur, Coimbatore District as per the Hindu Customs. Out of the said wedlock, two sons were born to them. Thereafter, from 27.01.2016 onwards, the respondent wife has been living with her parents. Therefore, she filed M.C.No.4 of 2017 before the Principal Family Court, Coimbatore. She also filed Interim Maintenance Petition in CMP.No.60 of 2017 in M.C.No.4 of 2017. By order dated 17.01.2018, while allowing the said petition, the learned Additional Principal Judge, Additional Family Court, Coimbatore, directed the petitioner herein to pay interim maintenance of Rs.10,000/- to the respondent wife from the date of filing of the said petition till the date of passing of that order, within a period of one month. Aggrieved over the same, the petitioner is before this Court with this Criminal Revision.

2. While admitting the present revision, this Court has granted interim stay on condition that the petitioner shall deposit a sum of Rs.1,00,000/- towards arrears in payment of maintenance to the credit of M.C.No.4 of 2017 on the file of the learned Additional Principal Judge, Additional Family Court,

Coimbatore, within a period of four weeks from the date of receipt of copy of the order and shall continue to pay a sum of Rs.7,000/- to the respondent as interim maintenance, on or before 5th day of every succeeding English Calendar month, by order dated 14.09.2018.

3. Today, when the matter was called, it was represented by both sides that HMOP No.1068/2017 filed by the petitioner-husband is also pending before the Additional Family Court, Coimbatore. Therefore, a direction may be issued to dispose of both the M.C.No.4/2017 and the HMOP.No.1068/2017 at the earliest. It is also submitted by the learned counsel for the respondent that from 2018 onwards, no enhancement is made, while paying the maintenance by the petitioner.

4. In such view of the matter, the petitioner-husband is directed to pay a sum of Rs.10,000/- towards interim maintenance to the respondent wife on or before 5th day of every succeeding English calendar Month pending disposal of the M.C.No.4 of 2017 as well as the HMOP.No.1068/2017 on the file of the Additional Family Court, Coimbatore. Further, the learned Judge is directed to take up both the matters together for hearing and dispose of the same, within a period of six months from the date of receipt of a copy of this Order, after giving due opportunity to both the parties.

5. The Criminal Revision Case is disposed of on the above terms. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

To

The Additional Principal Judge,
Additional Family Court, Coimbatore.

+1 CC to Mr.D.Vijayababu, Advocate sr 3576
+1 CC to Mr.A.Deivasigamani, Advocate sr 3448.

Cr1.R.C.No.1043/2018

VSNII(CO)
SP(10/02/2020)