

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.02.2020
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.119 of 2018
and Crl.MP.No.886 of 2018

V.Jeevanandhan

.. Petitioner

Vs

1. Mrs.S.Kalaiselvi
2. Master J.K.Lohit

.. Respondents

The Second Respondent
rep.by his mother and
natural guardian 1st Petitioner

* * *

Prayer: Criminal Revision filed under Section 397 and 401 of the Code of Criminal Procedure, seeking to set aside the order of directing directing the petitioner herein to pay a sum of Rs.6000/- each per month, totaling a sum of Rs.12,000/- per month to the respondents herein as interim maintenance from the date of the petition, i.e., 03.08.2015 till the disposal of the main case and it should be paid on or before 7th day of English calendar before the learned VI Additional Family Court at Chennai in M.P.No.323 of 2015 in M.C.No.203 of 2015, dated 02.11.2017.

* * *

For Petitioner : Mr.A.Manojkumar

For Respondents : Mr.A.T.John Victor

ORDER

This revision petition is directed against the order dated 02.11.2017 passed by the learned VI Additional Principal Judge, Chennai, in M.P.No.323 of 2015 in M.C.No.203 of 2015 granting interim maintenance of Rs.6,000/- per month each to the respondents.

2. The marriage between the petitioner and the first respondent was solemnized on 06.02.2012 and they were blessed with a male child, who is the second respondent herein, on 20.10.2013. Even before his birth, during February, 2013, the first respondent left the matrimonial home without the knowledge

and consent of the petitioner and filed MC.No.203 of 2015 for maintenance, in which, she filed M.P.No.323 of 2015 seeking interim maintenance. The Family Court passed the order dated 02.11.2017 directing the petitioner to pay a sum of Rs.6,000/- per month, each to the respondents as interim maintenance from the date of petition till the disposal of the main case, which is impugned in this revision.

3. On 29.01.2018, this Court, while admitting this criminal revision case, has granted an order of interim stay on condition that the petitioner shall deposit the arrears of interim maintenance at the rate of Rs.4,000/- per month from the date of filing the petition, within a period of four weeks from the date of receipt of a copy of that order.

4. Today, when the matter was taken up for consideration, the learned counsel appearing on either side, have not in a position to state about the compliance of the aforesaid order passed by this Court. However, they prayed for a direction to the Family Court to dispose of the main case within a time frame to be stipulated by this Court.

5. Considering the facts and circumstances of the case and also having regard to the submissions made by the learned counsel on either side, this Court directs the learned VI Additional Principal Judge, VI Additional Family Court, Chennai, to dispose of M.C.No.203 of 2015, pending on his file, on merits and in accordance with law, after affording due opportunity of hearing to both the parties, within a period of three months from the date of receipt of a copy of this order. Till the disposal of maintenance case, the petitioner is directed to continue to pay the interim maintenance at Rs.4,000/- per month each to the respondents on or before 5th of every succeeding English Calendar month, without any default. The arrears of interim maintenance at Rs.4,000/- per month each, if any, shall be deposited by the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Revision stands disposed of. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

The VI Additional Family Court,
Chennai.

Copy to: The Section Officer,
Crl. Section,
High Court, Madras.

Crl.R.C.No.119 of 2018

BR(CO)
CSR: 16.03.2020



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