

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.250 of 2018

M.Jeevarathinam

...Petitioner

Vs

J.Saraswathi

...Respondent

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. praying to set aside the order passed by the VI Additional Family Court, Chennai in M.C.No.360 of 2016 dated 20.12.2017.

For Petitioner : Mr.S.Nambirajan

For Respondent : Mr.S.Vijayakumar

ORDER

The petitioner is the husband and the respondent is the wife. They got married on 17.01.1983. Due to a matrimonial dispute between the parties, both of them are living separately. The respondent filed a petition for maintenance before the VI Additional Family Court, Chennai, claiming a sum of Rs.20,000/- per month. Considering the materials available on record, the family Court ordered the petitioner to pay a monthly maintenance of Rs.10,000/- to the respondent from the date of petition for maintenance regularly, on or before 5th of every succeeding English calendar month. Feeling aggrieved, the petitioner has preferred this Criminal Revision before this Court.

2.This Court, vide order dated 23.02.2018, while ordering notice to the respondent, has granted an order of interim stay on condition that the petitioner shall pay the arrears of maintenance at the rate of Rs.8,000/- per month from the date of filing of the petition, on or before 20.03.2018. It is reported that the said order has been complied with.

3.The learned counsel for the petitioner submitted that the petitioner has already paid a sum of Rs.2,00,000/- to the

respondent towards one time settlement. Further, the petitioner is regularly paying the monthly maintenance at the rate of Rs.8,000/- to the respondent, till date.

4.On the other hand, the learned counsel for the respondent submitted that since the respondent has no independent source of income, she finds it difficult to maintain herself; and the monthly maintenance of Rs.8,000/- payable by the petitioner is not sufficient enough to meet out her basic requirements. Hence, the learned counsel sought to enhance the same.

5.This Court, considering the financial position of the petitioner and also the plight of the respondent and having regard to the submissions made by the learned counsel on either side, is inclined to fix the monthly maintenance at the rate of Rs.10,000/- as ordered by the Family Court, to the respondent.

6.Accordingly, this Criminal Revision stands disposed of, directing the petitioner to pay the monthly maintenance at the rate of Rs.10,000/- to the respondent, on or before 5th of every succeeding English Calender month, commencing from February 2020.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The VI Additional Family Court,
Chennai.

+1cc to Mr.S.Nambirajan, Advocate, S.R.No.11763/2020

+1cc to Mr.S.Vijayakumar, Advocate, S.R.No.11724/2020

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RJI (CO)
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