

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.91 of 2018

E.Srivas

.. Petitioner

Vs

1. S.Sheela  
2. S.Suruthika  
3. S.Samiksha ... Respondents  
(2<sup>nd</sup> and 3<sup>rd</sup> respondents rep. by their  
mother and Natural Guardian 1<sup>st</sup> respondent)

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. praying to revise the judgment in CMP.No.983 of 2017 in M.C.No.39 of 2015 and reduce the interim maintenance amount ordered in favour of the respondents on 22.03.2017 that the petitioner to pay maintenance of Rs.15,000/- every month.

For Petitioner : Mr.R.Arun Kumar  
For Respondents : Ms.C.Premkumar

ORDER

Questioning the interim maintenance of Rs.15,000/- per month awarded to the respondents by the learned Judicial Magistrate, Thiruvotriyur in CMP.No.983 of 2017 in M.C.No.39 of 2015, the present Revision Case has been filed by the petitioner-husband.

2. This Court, while ordering notice of motion on 24.01.2018, has passed an order of interim stay on condition that the petitioner shall deposit 50% of the interim maintenance as ordered by the court below to the credit of M.C.No.39 of 2015 on the file of the learned Judicial Magistrate, Thiruvottiyur, within a period of two weeks from the date of receipt of a copy of the order.

3. When the matter was called today, the learned Counsel for the petitioner submitted that the conditional order dated 24.01.2018 passed by this Court has been complied with periodically without any default.

4. The said statement was also accepted by the learned Counsel for the respondents.

5. In such circumstances, considering the facts and circumstances of the case and also as agreed by the learned Counsel on either side, this Court deems it appropriate to direct the Family Court concerned to dispose of the maintenance case, pending on its file.

6. Accordingly, the Criminal Revision Case is disposed of, directing the learned Judicial Magistrate, Thiruvotriyur, to dispose of M.C.No.39/2015 pending on his file, on merits and in accordance with law, after affording due opportunity to both the parties, within a period of six months from the date of receipt of a copy of this Order. Till the disposal of the Maintenance Case, the petitioner shall continue to pay the interim maintenance of Rs.15,000/- per month to the respondents, without any default.

7. The Criminal Revision Case is disposed of on the above terms.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate,  
Thiruvotriyur.

+2 cc to Mr.R.Arun Kumar, Advocate, S.R.No.6012

+1 cc to Mr.N.Chinnaraj, Advocate, S.R.No.6077

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