

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.R.C.No.1535 of 2017

and

Cr1.M.P.No.15629 of 2017

M.Arunkumar

.. Petitioner

Vs

A.Gayathri

.. Respondent

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. against the order dated 14.11.2017 passed by the learned Judicial Magistrate, Ambattur in C.M.P.No.3625 of 2017 in M.C.No.29 of 2016.

For Petitioner :Mr.M.R.Elavarasan

For Respondent :Mr.V.Vinoth Kumar

ORDER

The petitioner is the husband and the respondent is the wife. Due to matrimonial dispute between the parties, they got separated. The respondent filed a petition for maintenance before the learned Judicial Magistrate, Ambattur, claiming a sum of Rs.30,000/- per month, in which, she filed CMP.No.3625 of 2017 seeking interim maintenance. By order dated 14.11.2017, the learned Judicial Magistrate, Ambattur allowed the said petition, directing the petitioner to pay a sum of Rs.7,000/- per month, to the respondent as interim maintenance. Feeling aggrieved, the petitioner has preferred this Criminal Revision before this Court.

2.On 12.12.2017, this Court, while admitting this Criminal Revision, has granted an order of interim stay on condition that the petitioner shall pay a sum of Rs.4,000/- per month towards interim maintenance on or before 5th of every English Calender Month.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that the petitioner is regularly paying the interim maintenance to the respondent, till date. The said submission has also been agreed upon by the learned counsel for the respondent. It is further submitted by the learned counsel on either side that

the Court below may be directed to dispose of the main case within a time frame to be stipulated by this Court.

4.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 Judicial Magistrate, Ambattur, to dispose of M.C.No.29 of 2016 pending on her file, on merits and in accordance with law, after affording due opportunity of hearing to both the parties, within a period of six months from the date of receipt of a copy of this order. Pending disposal of the maintenance case, the petitioner shall continue to pay the interim monthly maintenance at the rate of Rs.4,000/- to the respondent, on or before 5th of every succeeding English calender month regularly without any default.

5.Accordingly, this Criminal Revision Case stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

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To

The Judicial Magistrate,
Ambattur.

+1cc to Mr.M.R.Elavarasan, Advocate SR.No.9222

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