

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13278 of 2017

G. Kathiravan

... Petitioner/Respondent

Vs.

1.Thenmozhi

2.Minor Vignesh

3.Minor Santhiya

(Respondents 2 and 3 are minors rep.

By their mother/1st respondent)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order dated 16.06.2016 passed in Crl.Rev.Petition No.2 of 2015 on the file of III Additional Sessions Judge, Vellore @ Tirupattur and partly confirming the M.C.No.17 of 2012 on the file of Judicial Magistrate No.III, Tirupattur, dated 19.11.2014.

For Petitioner : Mr.D. Balachandran

For Respondents: Mr.T.Sundaravadanam

O R D E R

This petition has been filed challenging the order passed in Criminal Revision Case. No.2 of 2015 dated 16.06.2016 on the file of the III Additional Sessions Judge Vellore @ Tirupattur thereby partly allowing the appeal and confirming the rest of the portion of the order passed in M.C.No.17 of 2012 on the file of the Judicial Magistrate No.III, Tirupathur, dated 19.11.2014.

2. The petitioner is the husband; the first respondent is the wife and the respondents 2 and 3 are the minor children. The maintenance case was filed in the year 2012 and the learned Magistrate ordered maintenance as against the petitioner for a sum of Rs.15,000/- and each is entitled to a sum of Rs.5000/- as maintenance from the petitioner. It was challenged by the petitioner by way of revision before the III Additional Sessions Judge, Vellore at Tirupathur and it was modified to the effect that the first respondent is entitled to a monthly maintenance of Rs.3000/- and minor children namely respondents 2 and 3 herein are entitled to Rs.2500/- p.m., each. Therefore, totally, all the respondents are entitled to have a sum of Rs.8000/- as maintenance from the petitioner.

3. The learned counsel for the respondents submitted that even from the date of filing of maintenance case, there is a huge arrear from the petitioner and not complied with till today.

4. Considering the above submission, this court finds no merits in this petition since this court finds no irregularity or infirmity in the orders passed by the courts below. Further, the present petition is nothing but it amounts to a second revision. Therefore, this court is not inclined to allow this petition.

5. In the result, this criminal Original petition is dismissed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

gv

To

1. The III Additional Sessions Judge, Vellore @ Tirupattur.
2. The Judicial Magistrate No.III, Tirupattur.

Cr1.O.P.No.13278 of 2017

VSNII (CO)
SP(29/07/2020)

सत्यमेव जयते

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