

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

CrI.R.C.No.603 of 2017
and
CrI.M.P.No.5395 of 2017

S.Prakash .. Petitioner

Vs

1.P.Vanasundari
2.Minor Mohan Raj
rep. by mother and Guardian Vanasundari. ... Respondent

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. praying to set aside the order dated 20.12.2016 passed by the Family Court, Villupuram in M.C.No.18 of 2016.

For Petitioner : M/s.R.Meenal

For Respondents : Mr.L.S.M.Hasan Fikal

The petitioner is the husband and the respondent is the wife. They got married on 28.11.2004. They blessed with one child out of the wedlock. Due to a matrimonial dispute between them, the petitioner filed a divorce petition in HMOP No.34 of 2012 before the Principal District Court, Villupuram and the same was subsequently, transferred to the file of the Family Court and renumbered as HMOP No.2 of 2014, which was allowed on 12.01.2016. Thereafter, the respondents filed a petition in M.C.No.18 of 2016 before the Family Court, Villupuram, seeking maintenance of Rs.5,000/- per month. By order dated 20.12.2016, the Family Court directed the petitioner to pay a sum of Rs.4,000/- to the first respondent and Rs.3,000/- to the second respondent, totaling Rs.7,000/- as monthly maintenance, from the date of filing of the petition, on or before 10th of every English Calender month and pay a further sum of Rs.10,000/- per year to each respondents towards other expenses and education

expenses of the minor. Aggrieved over the same, the present Revision has been filed by the petitioner/husband.

2. On 18.04.2017, this Court, while ordering notice in this Criminal Revision, has granted an order of interim stay on condition that the petitioner shall deposit 50% of the arrears of maintenance amount within a period of six weeks and also pay a sum of Rs.3,500/- per month as maintenance to the respondents on or before 5th every English Calendar month, until further orders. It is reported that the petitioner has duly complied with the said order. Further, he is regularly paying the monthly maintenance to the respondents till date, as directed by this Court.

3. When this Criminal revision was taken up for consideration, the learned counsel on either side have submitted that a sum of Rs.6,000/- i.e., Rs.3,500/- to the first respondent and Rs.2,500/- to the second respondent may be fixed as monthly maintenance payable by the petitioner/husband to the respondents, hereafter, i.e., from the month of February 2020, payable on or before 5th March 2020.

4. In view of the aforesaid submission made by the learned counsel on either side, this Court directs the petitioner to pay a sum of Rs.6,000/- as monthly maintenance to the respondents from February 2020, payable on or before 5th March 2020. Further, the petitioner is directed to pay the monthly maintenance of Rs.6,000/- on or before 5th of every succeeding English Calendar month regularly without any default. However, there is no modification with regard to the payment of Rs.10,000/- per year to each respondents by the petitioner.

5. Accordingly, this Criminal Revision is disposed of. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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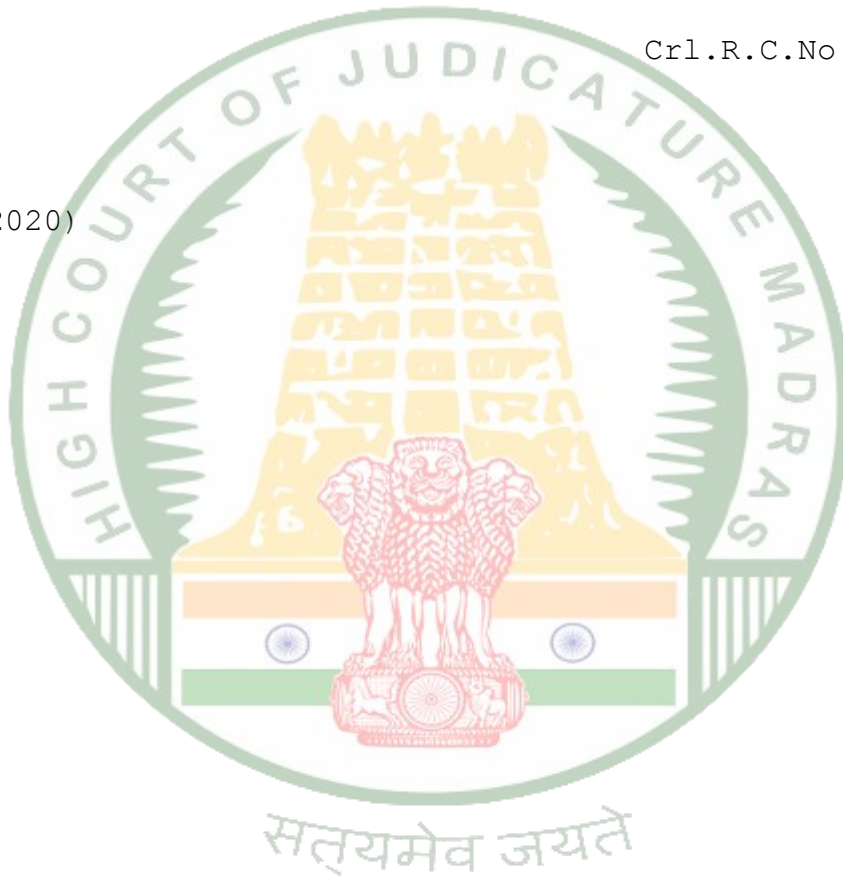
To

The Judge,
The Family Court, Villupuram.

+lcc to Mr.K.Arunagiri, Advocate, Sr.No.14323

Cr1.R.C.No.603 of 2017

SPD (CO)
GS (26/05/2020)



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