

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.1315 of 2019

and

Crl.M.P.No.17749 of 2019

S.Vijayarahavan

..Petitioner/Respondent/Respondent

Vs.

1.V.Sumathi

2.Master V.Rudrahari

(Rep. by his mother and natural
Guardian Mrs.Sumathi

...Respondents/Petitioners/Petitioners

Prayer:- Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. against the order dated 24.09.2019 in C.M.P.No.142 of 2019 in M.C.No.8 of 2019 by the Family Court, Chengalpattu.

For Petitioner : Mr.S.Arivazhagan

For Respondents : Mr.S.Sairaman

ORDER

The order dated 24.09.2019 passed by the learned Judge, Family Court, Chengalpattu, in Crl.M.P.No.142 of 2019 in M.C.No.8 of 2019, fixing the interim maintenance at Rs.3,000/- per month in favour of the first respondent /wife and Rs.2,000/- per month in favour of the 2nd respondent / son, is under challenge, at the instance of the petitioner / husband, by way of the present Criminal Revision Case.

2.By order dated 28.11.2019, this Court has granted an order of interim stay on condition that the petitioner shall deposit 50% of the arrears of interim maintenance as awarded by the Family Court, Chengalpattu, from the date of petition to 01.12.2019, within a period of four weeks and further continue to pay Rs.2,500/- as interim maintenance to the respondents, on or before the 5th of every succeeding English Calendar month.

3. When the matter was called today, the learned Counsel for the petitioner submitted that the petitioner has duly complied with the aforesaid order passed by this Court and he is regularly paying the interim maintenance at the rate of Rs.2,500/- per month to the respondents. The said submission was agreed by the learned counsel for the respondents. It is also submitted by the learned counsel on either side that the main maintenance case pending on the file of the Family Court, Chengalpet, may be directed to be disposed of, within a time frame to be stipulated by this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the Family Court, Chengalpet to dispose of the case in M.C.No.8 of 2019, on merits and in accordance with law, after affording due opportunity to both the parties, within a period of three months from the date of receipt of a copy of this order. In the meantime, the petitioner shall continue to pay Rs.2,500/- to the respondents on or before 5th of every succeeding English calendar month, without any default.

5. Accordingly, this criminal revision case stands disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Family Court,
Chengalpattu.

+1cc to Mr.S.Sairaman, Advocate, S.R.No.16467/2020

CrI.R.C.No.1315 of 2019
and
CrI.M.P.No.17749 of 2019

VGI (CO)
RN(04/06/2020)