



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C (MD)No.526 of 2019

1.Vijayalakshmi

2.Arikesavan (Minor)

represented by his mother/

1st petitioner

: Petitioners/Petitioners

Vs.

Suseendran, S/o.Peyathevan,
Senior Machine Operator (Grade II),
Tamil Nadu Electricity Board,
Periyar Lower Camp,
Uthamapalayam Taluk,
Theni District.

: Respondent/Respondent

Prayer: Criminal Revision has been filed under sections 397 and 401 of the Criminal Procedure Code, against the order passed by the Judicial Magistrate, Ambasamudram, in Crl.M.P.No.3836 of 2018 in MC No.22 of 2008, dated 15.03.2019.

For Petitioner

: Mr.R.J.Karthick

For Respondent

: Mr.D.Venkatesh

J U D G M E N T

This criminal revision is directed against the order passed by the Judicial Magistrate, Ambasamudram, in Crl.M.P.No.3836 of 2018 in MC No.22 of 2008, dated 15.03.2019.

2.The marriage between the first petitioner/wife and the respondent/husband was solemnized on 27.10.2002 and at that time of marriage, the 1st petitioner was given jewels, cash and other household articles and after marriage, they were blessed with one male child and subsequently, the respondent deserted the petitioners and as such, misunderstanding arose between them, which compelled the petitioners to live separately in the parents of the 1st petitioner. Since, the petitioners were not in a position to maintain themselves, they constrained to file MC No.22 of 2008 on the file of the Judicial Magistrate, Ambasamudram. The



learned Judicial Magistrate, by its order, dated 29.03.2010 ordered maintenance for Rs.1,500/- to each petitioners. To enhance the maintenance amount, Crl.MP No.3596 of 2011 has been filed by the petitioners, which was allowed on 08.04.2013 by enhancing the maintenance amount as Rs.2,500/- to each petitioners. Since the petitioners could not maintain themselves with a meagre amount of Rs.2,500/-, another petition was filed in Crl.MP No.3836 of 2018 for enhancement and by order, dated 15.03.2019 the maintenance amount was enhanced as Rs.3,500/- to the 2nd petitioner alone and no change towards 1st petitioner. Aggrieved by the said order, dated 15.03.2019, the petitioners are before this court by way of filing this revision.

3.During the pendency of the criminal revision, at the request of both sides, the matter was referred to the Mediation and Conciliation Centre, attached to this Bench. On 04.11.2019, both parties have settled their dispute before the Mediation and Conciliation Centre, attached to this Bench and a settlement agreement was entered into between them and a joint compromise memo was also filed to that effect, dated 04.11.2019 which would run thus:-

"(a).The respondent herein agrees to pay a sum of Rs.10,000/- as a monthly maintenance to the petitioners herein directly paid to the account of the 1st petitioner namely Canara Bank, Vikramasingapuram Branch, SB Account No.1127101043675 (IFSC Code: CNRB0001127). The said monthly maintenance of Rs.10,000/- is only for a period of 5 years commencing from 01.11.2019 to 31.10.2024. Thereafter, the respondent herein agrees to pay the enhanced maintenance depending on the increase in his salary. The respondent agrees to pay the above mentioned monthly maintenance on or before 5th of every month.

(b)The respondent herein agrees to pay the arrears of the maintenance of sum of Rs.38,750/- on or before 15.01.2020 to the credit of the above mentioned bank account.



(c)The respondent herein agrees to pay the school fees, tuition fees, college fees and educational expenses of the 2nd petitioner herein."

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4.In view of the settlement arrived at between the parties before the Mediation and Conciliation Centre attached to this Bench, this criminal revision is **disposed of**. The Joint Compromise Memo, dated 04.11.2019 shall form part of the order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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To

The Judicial Magistrate,
Ambasamudram.

+1 CC to MR.R.J.KARTHICK, Advocate (SR-1594[F] dated 13/01/2020)

Judgment made in
Crl.R.C (MD)No.526 of 2019
10.01.2020

KM/ (24.02.2020) 3P 3C