

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.03.2021

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.R.C.No.69 of 2015

and

M.P.No.1 of 2015

D.Noorul Amin
S/o.Dhasthagir

... Petitioner /Respondent

Vs.

N.Famitha Bhanu
C/o.Tintian Anikhan

... Respondent/Petitioner

Prayer: Revision petition filed under Section 397 r/w 401 of Cr.P.C. seeking to set aside the order dated 21.11.2014 passed in M.C.No.71 of 2012 on the file of Family Court, Salem.

For Petitioner : Mr.S.Saravanan

For Respondent : No Appearance

O R D E R

(The case has been heard through video conference)

Petition has been filed seeking to set aside the order dated 21.11.2014 passed in M.C.No.71 of 2012 on the file of Family Court, Salem, directing the petitioner to pay a sum of Rs.5,000/- per month as maintenance to the respondent / wife.

2.When the matter was listed before this Court on 06.01.2021, it was reported by the learned counsel for the petitioner as well as the learned counsel for the respondent that the matter has been settled between the parties and that the respondent / wife has received an amount of Rs.3,25,000/- from the petitioner as one time settlement. However, both the counsels submit that they are unable to contact their respective parties, thereby, this Court had directed the Registry to call for the report from the learned Family Court Judge, Salem,

whether the petition in M.C.No.71 of 2012 is pending or it has been closed as settled. The report has been received from the learned Family Court Judge, Salem vide D.No.32 dated 27.01.2021 and it has been stated that M.C.No.71 of 2012 is pending and that so far no settlement memo has been filed by the parties.

3.Both the counsel reiterate that there is no instructions from the parties.

4.This Court is of the opinion that no useful purpose will be served in keeping the matter pending. Hence, this Criminal Revision Petition stands dismissed. Liberty is granted to the petitioner to file appropriate memo before the Family Court to report settlement if necessary. If the respondent / wife does not appear before the learned Family Court Judge, the learned Family Court Judge shall pass orders in accordance with law. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Judge, Family Court
Salem.

+1 cc to Mr.S.Saravanan, Advocate Sr.No. 18120

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NMI (CO)
RMP (17/04/2021)

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