



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.R.C.No.752 of 2015

And

M.P.No.1 of 2015

Muniyandi

... Petitioner

Vs.

1.Komathi

2.Minor Balamurugan

3.Minor.Pavithre

(2 and 3 rep. by 1st respondent)

... Respondents

Prayer: Petition filed under Section 397 r/w 401 of Criminal Procedure Code, seeking to set aside the order dated 27.04.2015 made in F.C.M.C.No.21 of 2014 on the file of Family Court, Vellore.

For Petitioner : Mr.A.Saranraj
For Respondents : Mr.M.Sathish Kumar

O R D E R

The petitioner has filed this petition seeking to set aside the order dated 27.04.2015 made in F.C.M.C.No.21 of 2014 on the file of Family Court, Vellore.

2.The facts of the case is that the marriage between the petitioner and the first respondent was solemnized on 16.09.2004 and out of the wedlock, respondents 2 and 3 were born to them. Thereafter matrimonial dispute arose inbetween them and they are living separately. Since the first respondent was not able to maintain herself and respondents 2 and 3, she filed M.C.No.53 of 2012 before the learned Chief Judicial Magistrate, Vellore, seeking maintenance of Rs.5,000/- each per month. The said case was thereafter transferred to the file of the Family Court, Vellore and re-numbered as F.C.M.C.No.21 of 2014. After adjudication, the trial Court awarded a sum of Rs.2,500/-, Rs.1,500/- and Rs.1,000/- respectively, towards maintenance in favour of the respondents. Challenging the same, the petitioner has filed this revision.

3.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, the



petitioner may be permitted to deposit the entire arrears amount awarded as maintenance in favour of the respondents, less the amount already deposited, within a reasonable time frame.

4. In view of the above, this Court without going into the merits of the case, directs the petitioner to deposit the entire arrears amount awarded as maintenance in favour of the respondents, less the amount already deposited, if any, as per the order dated 27.04.2015 to the credit of F.C.M.C.No.21 of 2014 before the Family Court, Vellore, within a period of four weeks from the date of receipt of a copy of this order. On such deposit being made, the Family Court, Vellore, shall disburse the amount in favour of the respondents.

5. This revision is accordingly disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judge,
The Family Court,
Vellore.

Cr1.R.C.No.752 of 2015
And
M.P.No.1 of 2015

PA (CO)
GN (21/10/2021)