



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.1200 of 2017
and Crl.M.P.No.11458 of 2017

P.Ezhilarasu

...Petitioner

-Vs-

Ilakkiya

...Respondent

This Criminal Revision Case is filed under Sections 397 read with Section 401 of Cr.P.C. to set aside the maintenance order passed in FC.MC.No. 31 of 2016 dated 23.06.2017 passed by the Family Court, Dharmapuri by allowing the present Criminal Revision Petition.

For Petitioner : Mr.Ma.Pa.Thangavel

For Respondent : Mr.A.Sakthivel

O R D E R

This Criminal Revision has been filed to set aside the maintenance order passed in FC.MC.No. 31 of 2016 dated 23.06.2017 passed by the Family Court, Dharmapuri.

2. The revision petitioner is the husband and the respondent is the wife. The marriage was solemnized between them on 19.06.2013 as per Hindu Rites and Customs. Due to misunderstanding between the couples, they were living separately from the year 2013. Thereafter, the husband filed a petition for divorce and the wife filed a petition for restitution of conjugal rights. During pendency of the above said cases, the wife filed a maintenance case before the Family Court, Dharmapuri under Section 125 Cr.P.C., which was taken on file in FCMC.No.31 of 2016 claiming a sum of Rs.20,000/- per month towards maintenance amount and Rs.50,000/- towards medical expenses for every year. The Family Court after advertizing the materials placed on record and after hearing both the parties, allowed the petition and the respondent therein was directed to pay a sum of Rs.15,000/- per month to the wife towards maintenance and Rs.50,000/- per year towards other expenses. As against the same, the revision petitioner/husband has filed this present revision before this Court.



3. During pendency of this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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4. A Joint Memo of Compromise dated 23.09.2021 has been filed before this Court which have been signed by the petitioner and the respondent and also by their respective counsel. The relevant paragraph is extracted hereunder:

''4. The respondent submits that she will agrees to receive sum of Rs.9,00,000/- (Rupees Nine Lakhs Only) as a full quit for herself by way of cash/DD and the petitioner/husband agrees to pay the same before the Sub Court at Dharmapuri in the 13-B mutual consent petition.''

5. When the matter is taken up for hearing, the petitioner and the respondent were also present at the time of hearing through video conferencing. In the said memo, it has been stated that the petitioner and the respondent have entered into a compromise and amicably settled their issues. This Court also enquired both the parties and the parties stated that they have come to an amicable settlement between themselves.

6. Under these circumstances, the petitioner is directed to pay a sum of Rs.9,00,000/- (Rupees Nine Lakhs only) to the respondent as full quit by way of cash/DD within a period of four weeks from the date of receipt of a copy of this order. Failing which, the petitioner is directed to comply with the order in FCMC.No.31 of 2016 passed by the learned Judge, Family Court, Dharmauri, dated 23.06.2017 regularly on or before every 5th day of every English Calender month without any default.

7. In the result, this Criminal Revision Case is disposed of with the above observations. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

rli



To

The Judge Family Court, Dharmapuri

WEB COPY

Copy to

The Section Officer

VR Section

High Court, Madras 104.

+1 CC to Mr.Ma.Pa.Thangavel, Advocate sr 49334.

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KG(CO)
SP(26/10/2021)