

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C.NO.1434 OF 2019

AND

CRL.M.P.NO.18473 OF 2019

P.L.Palaniyappan

... Petitioner

.Vs.

1. P.Sasirekha
2. Master P.Rohith

... Respondents

PRAYER :

Criminal Revision case filed under Sections 397 & 401 of Cr.P.C. to call for the records pertaining to M.P.No.499 of 2017 in M.C.No.443 of 2016 on the file of Learned V Additional Principal Judge, Family Court, Chennai and set aside the order dtd 23.09.2019 by allowing this revision.

For Petitioner : Mr.K.Balasubramaniam

For Respondents : Ms.V.Sasirekha

O R D E R

The respondents filed M.C.No.443 of 2016 under Section 125 of Cr.P.C. against the petitioner herein seeking maintenance and pending disposal of the same, the respondents filed M.P.No.499 of 2017 in M.C.No.443 of 2016 under Section Section 24 of Hindu Marriage Act, for interim maintenance, before the Additional Family Court, Chennai, in which the learned Judge has awarded a sum of Rs.15,000/- to the respondents towards interim maintenance, as against the said order, the petitioner is before this Court by way of the present revision.

2. It is settled position of law that as against the order passed in the petition filed under Section 24 of Hindu Marriage Act, revision will not lie. Further interim order passed in M.C. and not final order and therefore the revision is not maintainable.

3. In view of the same, Registry is directed to return the entire papers pertaining to this revision to the learned counsel for the petitioner and the petitioner is at liberty to invoke the provision in the manner known to law.

4. With the above observation and direction, this revision is disposed of. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The V Additional Principal Judge,
Family Court, Chennai,

Cr1.R.C.No1434 of 2019

AK-II(CO)
CS/19/03/2021