



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.R.C.NO.296 OF 2015

1.Srinivasan

2.Chandra

... Petitioners

Versus

Niranjana

... Respondent

Prayer: Criminal Revision Petition filed under Section 397 read with Section 401 of Criminal Procedure Code, to call for the records made in the impugned order dated 18.03.2015 issued by the XXIII Metropolitan Magistrate, Saidapet, Chennai dated 18.03.2015 made in Crl.M.P.No.6088 of 2014 in M.C.No.112 of 2014 and set aside the same and allow the present Criminal Revision Petition.

For Petitioners : No appearance

For Respondent : Notice sent
Service awaited

ORDER

Today, when the matter came up for hearing, there was no representation on either side. Even on the earlier occasion, on 08.04.2021, this Court had recorded that there was no representation.

2. This Criminal Revision is filed by the petitioners, the husband and the mother-in-law as against the order of the learned XXIII Metropolitan Magistrate, Saidapet in Crl.M.P.No.6088 of 2014 in M.C.No.112 of 2014, aggrieved by the interim maintenance of Rs.10,000/- awarded by the learned Metropolitan Magistrate with effect from the date of filing of the petition i.e., from the month of February, 2015. While admitting the present case, by way of interim order in M.P.No.1 of 2015, this Court had granted interim stay on condition that



the petitioner shall pay a sum of Rs.5,000/- per month without any default whatsoever. Today, the service remains incomplete on the respondent/wife. However, upon perusal of the e-courts website, it is seen that on several occasions, the Maintenance Case has been adjourned on the ground of stay in the present Criminal Revision before this Court. Therefore, the respondent/wife has knowledge about the proceedings and she has chosen not to appear. The first petitioner/husband is also not represented before this Court. The Maintenance Case has been kept pending from the year 2015 on account of the pendency of the present Criminal Revision Case.

3. In that view of the matter, considering that the impugned order was only for payment of interim maintenance and considering the fact that at the time of the order, the wife was earning a sum of Rs.18,384/- per month and the husband was earning a sum of Rs.36,359/- per month, the interim order was granted by this Court to pay a sum of Rs.5,000/- per month till the disposal of the Maintenance Case. The first petitioner/husband shall pay a sum of Rs.5,000/- from the date of filing of the petition i.e., from February, 2015 till the disposal of M.C.No.112 of 2014, as interim maintenance and to that extent, the order of the Trial Court is modified.

4. Considering the Maintenance Case is of the year 2014, the Trial Court is requested to dispose of the same as expeditiously as possible in any event not later than four months from the date of this order.

5. The Criminal revision Case is partly allowed accordingly. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

grs

To

1. The XXIII Metropolitan Magistrate,
Saidapet, Chennai.
2. -do- through The Chief Metropolitan Magistrate,
Egmore, Chennai.

Cr1.R.C.No.296 of 2015

GPL (CO)
RLP (07/02/2022)