



CrI.R.C.No.192 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2022

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.192 of 2020

and

CrI.M.P.No.1439 of 2020

L.Ligorin

... Petitioner

Versus

Gnanapragasi

... Respondent

Criminal Revision Case filed under Sections 397 r/w 401 Cr.P.C to against the order dated 31.01.2019 made in M.C.No.20 of 2013 on the file of the Family Court, Puducherry.

For Petitioner : Mr.T.M.Naveen

For Respondent : No appearance

ORDER

The Criminal Revision Case is preferred against the order dated 31.01.2019 made in M.C.No.20 of 2013 on the file of the Family Court, Puducherry.



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2. The petitioner is the husband and the respondent is the wife of the petitioner. The respondent/wife filed a maintenance case in M.C.No.20 of 2013 on the file of the Family Court, Pondicherry seeking maintenance. The Family Court, after appreciating the entire materials awarded a sum of Rs.3,000/- per month as maintenance to the respondent herein. Challenging the said order, the petitioner has filed the present revision.

3. The learned counsel for the petitioner filed a memo dated 12.12.2022 stating that during the pendency of the revision, the revision petitioner died on 04.12.2021 and seeks permission of this Court to allow the brother of the petitioner to proceed with the case. During the pendency of the maintenance case, if either party died, no other person will be entitled to continue with the proceedings of the maintenance case.

4. Admittedly, the relationship between the petitioner and the respondent are not in dispute. Since there is no adverse order against the brother of the petitioner, he has no *locus standi* to continue with the proceedings, after death of the petitioner, who is the husband of the respondent. Therefore, the memo



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dated 12.12.2022 filed on behalf of the brother of the petitioner is rejected.

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5. In the light of the above facts, nothing survives for adjudication in this revision. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected miscellaneous petition is closed.

14.12.2022

Index : Yes/No
Speaking Order/Non Speaking Order
ms

To

The Judge,
Family Court,
Puducherry.



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P.VELMURUGAN, J.

ms

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14.12.2022