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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14079 of 2022

Nithin Raja

... Petitioner

Vs.

S.Padmasankar

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C, praying to set aside the order dated 01.04.2022 in Unnumbered M.C.No. of 2022 on the file of Family Court, Salem.

For Petitioner : Mr.B.Ravi

ORDER

This Criminal Original Petition has been filed to set aside the order rejecting the application filed for maintenance under Section 125 of Cr.P.C., before the Family Court, Salem.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. As per Section 19 of the Family Court Act, 1984, it is made clear that an appeal shall lie from every judgment or order, not being an interlocutory order, of a Family Court to the High Court both on facts and on law. Further, Section 19(4) of the Family Court Act, 1984 makes it clear that High Court may exercise revisional jurisdiction for the purpose of satisfying itself as to correctness, legality or propriety of the order, not being an interlocutory order and as to the regularity of such proceeding.

4. Such view of the matter, it is well open to the petitioner either to file an appeal or revision before the concern Court and not under 482 of Cr.P.C.



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5. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

nr/shk

1. The Judge,
The Family Court, Salem.

Copy To

The Section Officer,
E.R.Section,
High Court, Madras.
(To Return the Original Order
after retaining the copy of the same)

+1cc to Mr.R.Subramanian, Advocate SR.No.37925

Crl.O.P.No.14079 of 2022

RR(CO)
GMY(01/07/2022)