

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2022

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.830 of 2020
and Crl.M.P.No.5834 of 2020

Settu

... Petitioner

Vs.

Alamelu

... Respondent

Prayer: Criminal Revision Petition filed under Section 397 read with 401 Criminal Procedure Code against the order in Crl.M.P.No.2396 of 2018 in M.C.No.2 of 2017 on the file of the learned Judicial Magistrate-II, Walajapet, Vellore District by order dated 04.10.2019.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.Subburam

ORDER

This Revision has been filed by the petitioner as against the order in Crl.M.P.No.2396 of 2018 in M.C.No.2 of 2017 on the file of the learned Judicial Magistrate-II, Walajapet, Vellore District by order dated

04.10.2019.

2.The petitioner is the husband and the respondent is the wife. The respondent filed a maintenance case in M.C.No.2 of 2017 on the file of the Judicial Magistrate-II, Walajapet, Vellore District and the same was ordered and since the petitioner has not paid the maintenance amount as per the order of the Magistrate, they filed a petition for execution in Crl.M.P.No.2396 of 2018. Since, the petitioner did not pay, warrant was issued.

3.Now, the learned counsel appearing for the petitioner would submit that, pending the Revision, the petitioner herein paid the entire arrears amount to the respondent/ wife.

4.The learned counsel appearing for the respondent also admitted that he had received the entire arrears amount covered under the warrant has been paid by the petitioner.

5.In view of the above, nothing survives for further adjudication.

Therefore, this Revision is dismissed as infructuous. However, the petitioner is directed to pay the monthly maintenance as ordered by the Judicial Magistrate. If any further arrears or any default of payment of monthly maintenance, the Judicial Magistrate is directed to proceed with a fresh warrant.

6.With the above observations, this Revision is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

20.12.2022

Index: Yes/ No
Speaking Order : Yes/ No
gba

To

The Judicial Magistrate-II,
Walajapet, Vellore District

P.VELMURUGAN,J.

gba

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