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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.R.C. (MD) No.25 of 2022

and

Cr1.M.P. (MD) .No.506 of 2022

Raju ...Petitioner/Respondent
Vs.

1.Maheswari @ Eswari

2.Jeyarani ...Respondents/Petitioner

PRAYER: Criminal Revision Case filed under Section 397 and 401 Cr.P.C. praying to call for the records and set aside the order passed in Cr.M.P.No.86 of 2021 in M.C.No.9 of 2017 dated 17.11.2021, on the file of the learned Family Court, Madurai.

For Petitioner : Mr.G.Solai Raja

ORDER

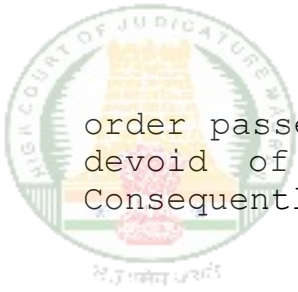
This Criminal Revision Petition has been filed challenging the order passed in Cr.M.P.No.86 of 2021, dated 17.11.2021, by the Family Court, Madurai, thereby allowed the petition filed by the respondents for execution of the order of maintenance passed in M.C.No.9 of 2017.

2. The petitioner is the husband of the first respondent herein and they got married on 07.09.1996 and due to their wedlock, they gave birth to the second respondent herein. Due to matrimonial dispute, the petitioner and the first respondent are living separately. The respondents herein filed the Maintenance Petition in M.C.No.9 of 2017 before the Family Court, Madurai and it was allowed and the petitioner herein was directed to pay maintenance of Rs.5000/- each to the respondents.

3. However, the petitioner did not comply with the said order and as such, the respondents were constraint to file a petition under Section 128 of Cr.P.C. for execution of the order of maintenance. In fact, the petitioner also appeared and filed his counter. After due enquiry, the Court below allowed the petition and issued destraint warrant as against the petitioner herein.

4. Therefore, this Court finds no grounds to interrupt with the

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order passed by the Family Court and this Criminal Revision Case is devoid of merits. This Criminal Revision Case is dismissed. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Family Court,
Madurai.

Cr1.R.C.(MD) No.25 of 2022
17.02.2022

NSN(CO)
KB(04.03.2022) 2P 2C