



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K. ILANTHIRAIYAN

Crl.O.P (MD) No.974 of 2021

WEB COPY

1. Anitha
2. Minor Dharshinidevi
3. Minor Vingeshwaran

.. Petitioners/Petitioners

(petitioners 2 and 3 are represented by
their legal guardian-first petitioner)

Vs

M.Selvan

.. Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent to settle the entire arrears amount of monthly maintenance ie., Rs.8,62,865/- in M.C.No.66 of 2011, dated 11.02.2014 on the file of the learned Family Court, Madurai, as one time settlement with interest to the petitioners.

For Petitioners : Mr.G.R.Sathish

For Respondent : Mr.D.Karthik Raja

ORDER

This Criminal Original Petition has been filed to direct the respondent to settle the entire arrears amount of monthly maintenance ie., Rs.8,62,865/- in M.C.No.66 of 2011, dated 11.02.2014 on the file of the learned Family Court, Madurai, as one time settlement with interest to the petitioners.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

3. On perusal of the records revealed that the petitioners also filed a petition under Section 128(1) of Cr.P.C before the trial Court to execute the order passed in M.C.No.66 of 2011. In fact, the learned counsel for the respondent submitted that in pursuant to the application filed by the petitioners, the respondent's salary was also attached for the maintenance and arrears of maintenance.

4. In view of the above, the direction sought in this Criminal Original Petition cannot be granted. Accordingly, the Criminal Original Petition is dismissed. However, the petitioners are at



liberty to look out their remedy in the petition filed under Section 128(1) of Cr.P.C.

Sd/-

Assistant Registrar (AE)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

ps

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

- 1.The Judge,
Family Court,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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16.02.2022**

MGJ(28.02.2022) 2P 3C