



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventeenth day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL MP(MD) No.2220 of 2019

IN

CRL RC (MD) SR.No.SR7689 of 2019

GNANA BOOMINATHAN

... PETITIONER/REVISION PETITIONER

Vs

1 REVATHI

2 MINOR.AKSHAYA DHARSHINI

... RESPONDENTS/RESPONDENTS

REP BY HER NATURAL GUARDIAN/MOTHER
MRS.REVATHI

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 55 days in filing this Criminal Revision Petition against the order in Crl.R.P.No.20 of 2018 dated 06.09.2018 order passed by the Learned Principal District Court, Ramanathapuram.

PRAYER IN CRL RC(MD) No.7689 of 2019:

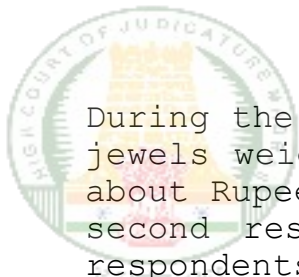
Pleased to call for the records pertaining to the order in C.R.P.No.20 of 2018 dated 06.09.2018 passed by the learned Principal District Court, Ramanathapuram partly confirming the order passed by the learned Chief Judicial Magistrate, Ramanathapuram in M.C.No.34 of 2016 dated 07.06.2017 and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of and none appeared either in person or by an Advocate on behalf of the petitioner and none appeared either in person or by an Advocate on behalf of the respondents 1 & 2, the Court made the following order:-

This Criminal Miscellaneous Petition has been filed, to condone the delay of 55 days, in filing the above Criminal Revision Case, as against the order passed in Crl.R.P.No.20 of 2018 dated 06.09.2018, on the file of learned Principal District Judge, Ramanathapuram, thereby confirmed the order passed in M.C.No.34 of 2016, dated 07.06.2017, by the learned Chief Judicial Magistrate, Ramanathapuram, thereby ordered monthly maintenance of Rs.4,500/-, to the first respondent and Rs.2,500/- to the second respondent, payable by the petitioner, herein.

2.On perusal of order passed by the Court below reveals that the petitioner and the first respondent got married on 22.01.2015.

<https://hcservices.ecourts.gov.in/hcservices/>



During the marriage, the first respondent's family members presented jewels weighing 50 sovereigns, along with household articles, worth about Rupees Two Lakhs. Due to their wedlock, they gave birth to the second respondent. Thereafter, due to huge demand of dowry, the respondents were driven out from their matrimonial home and living separately. In order to maintain themselves, they filed maintenance case in M.C.No.34 of 2016.

3.On perusal of oral and material evidence produced by the respondents, the Court below ordered monthly maintenance of Rs.4,500/-, to the first respondent and Rs.2,500/- to the second respondent, payable by the petitioner, herein. Aggrieved by the same, the petitioner preferred an appeal before the Principal District Court, Ramanathapuram and the same was dismissed. Challenging the same, again the petitioner filed this revision along with the condone delay petition.

4.So far, the petitioner did not pay any amount as directed by the Court below and there are huge arrears of maintenance, payable by the petitioner to the respondents. Therefore, this Court specifically directed to verify, whether the petitioner paid any maintenance, after the order passed by the Court below. However, there is no evidence to show that the petitioner has paid maintenance, as awarded by the Court below.

5.That apart, there is absolutely no sufficient cause to condone the delay of 55 days, in filing this Revision and also on merits, the petitioner has no case. As such, allowing the condone delay petition would not serve any purpose.

6.In view of the above, this Criminal Miscellaneous petition is dismissed.

sd/-
17/03/2022

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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE PRINCIPAL DISTRICT JUDGE,
RAMANATHAPURAM.

ORDER
IN
CRL MP(MD) No.2220 of 2019
IN
CRL RC(MD)SR.No.SR7689 of 2019
Date :17/03/2022