



CrI.R.C.(MD)No.1252 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 16.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.R.C.(MD)No.1252 of 2022
in CrI.M.P.(MD)No.15739 of 2022

Saravanan @ Dhanapal

... Petitioner/Respondent

Vs.

1.Balagayathri

2.Minor. Selvan Kanooj

[Minor represented by his mother and next friend

... Respondents/Petitioners

PRAYER: Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C., to call for the records and set aside the order passed in M.C.No.31 of 2019 on the file of the Family Court, Dindigul, dated 29.03.2022.

For Petitioner
For R1

: Mr.R.Solaipandi
: Mr.M.R.S.Prabhu

ORDER

This Criminal Revision Petition has been filed to set aside the order passed in M.C.No.31 of 2019 on the file of the Family Court, Dindigul, dated 29.03.2022.



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2.Mr.R.Solaipandi, learned counsel appearing for the petitioner would submit that the petitioner is the husband and that the first respondent/wife had filed a maintenance case claiming monthly maintenance of Rs.25,000/- for herself and another Rs.25,000/- for her minor son. The trial Court having found that the income of the petitioner is only Rs.30,000/- had erred in fixing the maintenance at the rate of Rs.5,000/- for the wife and Rs.15,000/- for the minor son. He would further submit that the trial Court did not take into consideration the expenses incurred by the petitioner/husband for his day to day expenses and his sustenance and thereby, the present revision has been filed. However, he would submit that without prejudice, the petitioner is ready to pay a sum of Rs.5,000/- to his wife and a sum of Rs.12,500/- to his son. He would further submit that there is an arrears of Rs.3,50,000/- and that time may be granted to the petitioner to pay the arrears in installments.

3.Mr.M.R.S.Prabhu, learned counsel appearing for the first respondent/wife would submit that she is agreeable for maintenance of



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Rs.5,000/- per month for her and Rs.12,500/- per month for her son for the present and that orders may be passed accordingly.

4.Both counsel would submit that the orders may be passed based on their submissions and the order passed in M.C.No.31 of 2019 by the learned Family Judge, Dindigul, dated 29.03.2022 may be modified accordingly.

5.In view of the above, the order dated 29.03.2022 in M.C.No.31 of 2019 passed by the learned Family Judge, Dindigul, is modified to the effect that the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand Only) to the first respondent/wife and a sum of Rs.12,500/- (Rupees Twelve Thousand and Five Hundred Only) to the minor child. The arrears of maintenance shall be paid by four installments within a period of six months from the date of receipt of a copy of this order. Further, the petitioner/husband shall continue to deposit Rs.17,500/- per month (Rupees Seventeen Thousand and Five Hundred only) towards monthly maintenance for the wife and child on or before the 10th day of every English Calendar month.



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6.With the above modification, the Criminal Revision Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

16.12.2022

Index : Yes/No

Internet:Yes/No

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To

1.The Family Court, Dindigul.

2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

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