



Crl.M.P.No.3020 of 2023
in
Crl.RC.SR.No.9538 of 2023

V. SIVAGNANAM, J.

This petition is filed to condone the delay of 22 days in filing the revision petition by the petitioner against the order dated 31.01.2022 passed in Crl.M.P.No.506 of 2022 in M.C.No.23 of 2022, on the file of the Judicial Magistrate, Additional Mahila Court, Alandur.

2.The learned counsel for the petitioner submitted that the petitioner is the husband and the 1st respondent is the wife. She filed a petition in Crl.M.P.No.506 of 2022 in M.C.No.23 of 2022 on the file of the Judicial Magistrate, Additional Mahila Court at Aladur for interim maintenance. The learned Judge, without considering his counter and discussing anything, passed a cryptic order on 31.01.2022, awarding a sum of Rs.60,000/- per month as interim maintenance. Since the petitioner was waiting for a compromise, he has not filed the



WEB CODE

revision immediately. In the interregnum, the delay is caused, which is neither wilful nor wanton and there is no negligence on the part of the petitioner seeking to condone the delay.

3.The respondents filed a counter and objected to condone the delay.

4. Heard the learned counsel on both sides and perused the materials available on record.

5. On perusal of the records, it is noticed that the petitioner is the husband and the 1st respondent is the wife. The respondent-Wife has filed a Crl.M.P.No.506 of 2022 in M.C.No.23 of 2022 on the file of the Judicial Magistrate, Additional Mahila Court at Alandur seeking interim maintenance. On perusal of the impugned order dated 31.01.2022, it is seen that the learned Judge has not discussed anything and simply ordered for interim maintenance of Rs.60,000/- per month



to be paid to the 1st respondent and under these circumstances, it has to

be reappraised. The reasons stated for the delay of 22 days in filing the

revision is acceptable and therefore, the delay is condoned.

Accordingly, this petition is allowed.

30.03.2023

srn

Note: The Registry is directed to number the revision, if it is otherwise in order.



WEB COPY



V. SIVAGNANAM, J.

srn

**Crl.M.P.No.3020 of 2023
in
Crl.RC.SR.No.9538 of 2023**

30.03.2023