



C.R.P.No.4197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE Mrs.JUSTICE T.V.THAMILSELVI

C.R.P.No. 4197 of 2023
and
C.M.P. No. 25560 of 2023

P. Vishnuraghav

.. Petitioner

Vs

1.N. Manjula Devi
2.Minor. Prithika
3.Minor. Prashika
respondents 2 & 3 rep.,
by their mother N. Manjula Devi

.. Respondents

PRAYER: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the order dated 17.11.2022 made in I.A.No.1 of 2021 in O.P.No.636 of 2021 on the file of the I Additional Family Court, Chennai.

For Petitioner : Mr. R. Venkatesh

For Respondents : Mr. S. Venkata Krishna Kumar



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ORDER

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This Civil Revision Petition is filed challenging the impugned order passed in I.A.No.1 of 2021 in O.P.No.636 of 2021 on the file of the I Additional Family Court, Chennai which was filed by the wife under Section 24 of Hindu Marriage Act, praying for interim maintenance from her husband / respondent therein. The same was ordered.

2. Against which, the revision petitioner / husband has filed this revision.

3. The learned counsel appearing for the revision petitioner submitted that against this application CRP is not maintainable only CMA alone is maintainable. Now the learned counsel for the revision petitioner wants to withdraw the matter. Admittedly, as on date, there was arrears made in CMA.

4. However, the learned counsel appearing for the respondents submitted that the petitioner / husband wants to drag on the matter, so he



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purposely filed a revision. Knowing fully well that CMA alone is maintainable.

5. Considering the submissions, the petitioner is permitted to withdraw. However, before filing CMA, the petitioner is directed to deposit part arrears of maintenance of Rs.3 lakhs before the appropriate forum in O.P.No.636 of 2021 on the file of I Additional Family Court, Chennai within three weeks from the date of receipt of copy of this order.

6. In the result, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

7. Registry is directed to return the papers within two weeks from the date of receipt of copy of this order.

06.11.2023

Index :Yes/No
Neutral Citation :Yes/No
AT

To
The I Additional Family Court, Chennai.

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T.V.THAMILSELVI, J.

AT

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