



CrI.R.C.(MD)No.56 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.R.C.(MD)No.56 of 2019

and

CrI.M.P.(MD)No.2138 of 2019

Krishnan

... Petitioner

Vs.

Anandharoobini

... Respondent

PRAYER : Criminal Revision Case filed under Section 397 and 401 of the Code of Criminal Procedure, to call for the records pertaining to the order passed in M.C.No.14 of 2018 dated 18.04.2018 passed by the learned Family Court, Karur and set aside the same by allowing this revision.

For Petitioner : Mr.A.Joel Paul Antony



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ORDER

This Criminal Revision Case has been filed to set aside the order passed in M.C.No.14 of 2018 dated 18.04.2018 passed by the learned Family Court, Karur.

2.The petitioner and the respondent are husband and wife and they got married on 25.04.2010. They lived together only for twenty days. Thereafter, due to huge demand of dowry and harassment of the petitioner and his parents, the respondent was driven out from the matrimonial home. The petitioner also filed a petition for divorce in HMOP.No.276 of 2011 and the same was dismissed. Due to harassment, the respondent lodged a complaint before the All Women Police Station, Karur. Even then, the petitioner did not take care of the respondent and as such, the respondent could not able to maintain herself. Hence, she filed a petition for maintenance and claimed Rs.10,000 per month as maintenance. The respondent had examined herself as P.W.1 and marked Ex.P.1 to Ex.P5. The petitioner examined himself as R.W.1 and



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no document was marked. On perusal of oral and documentary evidence, the trial Court ordered Rs.7,000/- per month as maintenance payable to the respondent herein by the petitioner with a cost of Rs.5,000/-. Aggrieved by the same, the present revision has been filed.

3.Though this revision was listed for admission on 18.02.2019, at the request of the learned counsel appearing for the petitioner, it was adjourned to 19.03.2019. Again on 19.03.2019, at the request of the learned counsel appearing for the petitioner, it was adjourned by four weeks. Thereafter, the petitioner did not take any steps to list the matter even for admission. That apart, the petitioner did not even pay single rupee till today as maintenance awarded by the trial Court.

4.On perusal of the counter revealed that the petitioner did not even deny the income as quoted by the respondent. That apart, though the petitioner was granted divorce by the trial Court, in the appellate Court, it was reversed. Therefore, the Court below rightly awarded maintenance of Rs.7,000/- in favour of the respondent and hence, this Court finds no infirmity or illegality in the order passed by the Court



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below. Accordingly, this criminal revision case is dismissed.

Consequently, connected miscellaneous petition is closed. The respondent is at liberty to take appropriate steps as against the petitioner to execute maintenance awarded by the trial Court.

05.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

The Family Court,
Karur.



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G.K.ILANTHIRAIYAN,J.

gns

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