



CRL MP(MD) No.11164 of 2023

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

Monday, the Twenty Eighth day of August Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN
CRL MP(MD) No.11164 of 2023
in
CRL RC(MD)SR.No.27073 of 2023

P.SWAMINATHAN

... PETITIONER/PETITIONER

Vs

MANJU @ MUTHULAKSHMI

... RESPONDENT/RESPONDENT

Criminal Miscellaneous 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 411 days in filing the criminal revision petition against the impugned order passed in MC.No.9 of 2019 on the file of the Family Court, Tirunelveli.

Prayer in CRL RC(MD).SR..No.27073/2023 :

To call for the records pertaining to the impugned order passed in M.C.No.9 of 2019 on the file of the Family Court, Tirunelveli dated 22.04.2021 and set aside the same by allowing the Criminal Revision.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ARUL JENIFER.A, Advocate for the petitioner and of MR.V.ANGUSAMY, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to condone the delay of 411 days in filing the above Revision.

2.The petitioner is the husband. The respondent/wife filed M.C.No.9 of 2019 before the file of the Family Court, Tirunelveli seeking maintenance. The learned trial



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Judge allowed the same by the impugned order dated 22.04.2021. Challenging the same, the petitioner preferred the said revision with the delay of 411 days. The paragraph 3 of the affidavit stated that he was suffered from jaundice and he was not able to contact the counsel who appeared before the lower Court on behalf of him. Thereafter only he contacted his counsel. Hence, the said delay was occurred.

3.The learned counsel for the respondent submitted that even though maintenance petition was filed in the year 2019 and the impugned order was passed on 22.04.2021, till date no maintenance amount was paid by the petitioner.

4.At this juncture, the learned counsel for the petitioner submitted that the petitioner is ready to pay 50% of arrears of maintenance amount before the Court below and he prays for allowing this petition.

5.In view of the above, the petitioner is directed to pay 50% of arrears of maintenance amount within a period of four weeks from today.

6.For reporting compliance, post this matter on 26.09.2023.

sd/-
28/08/2023

/ TRUE COPY /

29/08/2023

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

dss



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TO
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THE JUDGE,
FAMILY COURT, TIRUNELVELI.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-12917[I] dated 29/08/2023)

ORDER IN
CRL MP(MD) No.11164 of 2023
in CRL RC(MD)SR.No.27073 of 2023
Date :28/08/2023

RS//SAR-(29.08.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
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