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CrI.R.C.No.995 of 2023

pIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.R.C.No.995 of 2023

1.Pavithra @ Sonia
2.Minor.Sanjai
3.Minor.Dhivishwarn

... Petitioners

Vs.

Saravanan

... Respondent

Prayer:

Criminal Revision Case filed under Section 397 and 401 of Criminal Procedure Code, seeking to set aside the fair and final order 09.11.2022 made in F.C.C.M.P.No.179 of 2021 in F.C.M.C.No.19 of 2015 on the file of the learned Family Court, Chengalpet by allowing this criminal revision petition.

For Petitioners : Mr.D.R.Arun Kumar
For Respondent : Mr.R.Sreedhar

ORDER

The criminal revision case has been filed seeking to set aside the fair and final order dated 09.11.2022 made in F.C.C.M.P.No.179 of



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2021 in F.C.M.C.No.19 of 2015 on the file of the Family Court, Chengalpet by allowing this criminal revision petition.

2. When the matter was taken up for consideration, the learned counsel appearing for the petitioner produced the undertaking affidavit of the petitioner dated 08.04.2024 and the same was accepted by the learned counsel appearing for the respondent. The relevant portion of the undertaking affidavit reads as follows:

"3. I submit, I reliably learnt that the respondent herein has come forward with the proposal to give us the enhanced maintenance amount of Rs.17,500/- per month.

4. I submit that since the respondent has come up with above proposal, I am inclined accept the said proposal and I undertake to not press CRP No.1160 of 2023 pending before this Honourable Court, which was filed against the dismissal of the petition, seeking payment of school fees for the minor petitioners. I further undertake not to file any other petition seeking enhancement of the compensation in near future and without any change in circumstances."



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3.The learned counsel appearing for the petitioner also submitted that Tr.CMP No.86 of 2024 filed by the petitioner to withdraw the case in FCOP No.103/2019 from the file of the Family Court, Chengalpet and transfer the same to the Subordinate Court, Tambaram, was dismissed by this Court on 07.03.2024.

4.In view of the above, this Court directs the respondent to pay a sum of Rs.17,500/- per month (Rs.7,500/- to the first petitioner and Rs.5,000/- each to the petitioners 2 and 3) to the petitioners towards monthly maintenance and this criminal revision case is disposed of on the above terms.

5.This revision is disposed of.

10.04.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The Family Court,
Chengalpet.

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