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Crl.R.C.No.431 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.R.C.No.431 of 2024
and Crl.M.P.No.4179 of 2024**

Khan Malukar

... Petitioner

Vs.

1.Jannathul Firdouse

2.Minor K.Mohamed Muhasen,

Rep.by his mother and natural guardian/first respondent

...

Respondents

PRAYER : Criminal Revision Petition filed under Section 397 r/w. 401 of the code of Criminal Procedure, to set aside the order dated 11.12.2023 made in M.C.No.109 of 2020 on the file of the IV Additional Principal Family Court, Chennai.

For Petitioner : Mr.N.A.Nassir Hussain

For Respondent : Mr.T.Titus Enock



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ORDER

The Criminal Revision Case is filed against the impugned order dated 11.12.2023 passed in M.C.No.109 of 2020 by the learned IV Additional Principal Family Judge, Chennai.

2. The case of the petitioner is that the marriage between the petitioner and the first respondent was solemnized on 07.09.2006 and they were blessed with a male child, namely, Mohamed Muhasen/second respondent. Thereafter, she neglected the petitioner and left matrimonial home, however, she filed a maintenance case in M.C.No.109 of 2020 seeking monthly maintenance and the trial Court has ordered a sum of Rs.20,000/- to the first respondent and Rs.20,000/- to the second respondent as monthly maintenance to be paid by the petitioner from the date of filing the petition and directed the petitioner to pay a sum of Rs.10,000/- towards litigation expenses as one time payment. Challenging the same, the present petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is running a Fast Food Hotel and in view of financial constraints, is ready to pay a sum of Rs.15,000/- per month to each of the respondents and pay the educational expenses of the second respondent for every year on receipt of the particulars relating to the educational expenses incurred by the first respondent.

4. The learned counsel appearing for the respondents has no serious objection to the submission made by the learned counsel appearing for the petitioner.

5. In view of the submissions made by the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents, this Court is inclined to dispose of the criminal revision case on the following directions:



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(i) the petitioner is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) per month to each of the respondents on or before 7th of every succeeding English Calender month.

(ii) the petitioner is directed to deposit the entire arrears amount at the rate of Rs.15,000/- (Rupees Fifteen Thousand only) from the date of filing the maintenance case till the date of deposit, less the amount if any already deposited, within a period of four weeks from the date of receipt of a copy of this order.

(iii) the petitioner is directed to pay the educational expenses of the second respondent for every year on receipt of the particulars relating to the educational expenses incurred by the first respondent.

6. Accordingly, the Criminal Revision Case is disposed of with the above directions.

19.06.2024

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

The IV Additional Principal Family Court, Chennai.



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M.DHANDAPANI, J.

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