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Crl.R.C.No.1210 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**Crl.R.C.No.1210 of 2024  
and Crl.M.P.No.10289 of 2024**

S.Ramesh

... Petitioner

Vs.

1.Aarthi

2.Minor Varunika

Rep.by her mother/first respondent

... Respondents

**PRAYER :** Criminal Revision Petition filed under Sections 397 and 401 of the code of Criminal Procedure, to set aside the order dated 08.08.2023 passed in M.C.No.20 of 2020 by the Family Court, Chengalpattu.

For Petitioner : Mr.P.Jesus Moris Ravi

**O R D E R**

The Criminal Revision Case is filed against the impugned order dated 08.08.2023 passed in M.C.No.20 of 2020 by the Family Court,



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Chengalpattu.

2. The case of the petitioner is that the petitioner is the husband of the first respondent and the marriage between the petitioner and the first respondent was solemnized in the year 2017 and they were blessed with a child, namely, Varunika, who is the second respondent herein. There was a matrimonial dispute between the petitioner and the first respondent and she left the matrimonial home and thereafter, the respondents filed a maintenance case in M.C.No.20 of 2020 before the Family Court, Chengalpattu, claiming monthly maintenance of Rs.30,000/- to the first petitioner and Rs.10,000/- to the second petitioner and annual allowance of Rs.1,00,000/- towards clothing, litigation and other indirect expenses and the trial Court has awarded a sum of Rs.15,000/- per month as maintenance to the second respondent to be paid by the petitioner from the date of filing the petition and directed the petitioner to pay the maintenance amount within 10th of every succeeding English calendar month, vide impugned order dated 08.08.2023. Challenging the same, the present petition has been filed.



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3. The learned counsel appearing for the petitioner submits that the petitioner has married the first respondent in the year 2017 after knowing about the earlier marriage of the first respondent with one Vasanth Kumar, which was ended in mutual consent divorce and the petitioner and the first respondent were blessed with the child/second respondent herein and she left the matrimonial home without any reason. Therefore, the trial Court has not granted any maintenance to her, however, though the second respondent claimed a sum of Rs.10,000/- as monthly maintenance, the trial Court has excessively awarded Rs.15,000/- as monthly maintenance to the second respondent which has to be paid by the petitioner from the date of filing the petition. Hence, he prays for appropriate orders.

4. Since no adverse order is going to be passed against the respondents, notice to the respondents is dispensed with.

5. The relationship between the petitioner and the first respondent



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is not in dispute. The grievance of the petitioner is that though the second respondent claimed Rs.10,000/- as monthly maintenance, the trial Court has excessively awarded a sum of Rs.15,000/- as monthly maintenance to the second respondent which has to be paid by the petitioner from the date of filing the petition. However, it reveals from the materials available on record that the petitioner is working in IT Company and earning a sum of Rs.90,000/- per month and after considering the financial status of the petitioner, the trial Court has awarded a sum of Rs.15,000/- as monthly maintenance to the second respondent to be paid by the petitioner from the date of filing the petition, vide impugned order dated 08.08.2023, which is just and reasonable and does not require any interference by this Court.

6. Accordingly, the Criminal Revision Case is dismissed.

Connected miscellaneous petition is closed.

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NCC : Yes / No

Index : Yes / No



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Speaking Order : Yes / No  
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**M.DHANDAPANI, J.**

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To  
The Family Court, Chengalpattu.

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