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CrI.R.C.No.986 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**CrI.R.C.No.986 of 2024
and CrI.M.P.No.8359 of 2024**

E.Baskaran

... Petitioner

Vs.

1.Santhanalakshmi @ Deepa

2.Minor B.Swathy

3.Minor B.Kavitha

(*Minor respondents 2 and 3 are represented by their mother,
first respondent *)

... Respondents

PRAYER : Criminal Revision Case filed under Section 397 and 401 of the code of Criminal Procedure, to set aside the interim order passed in M.P.No.409 of 2023 in M.C.No.590 of 2022, dated 15.09.2023, on the file of the 1st Additional Family Court, Chennai.



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For Petitioner : Mr.T.Kannan
For Respondent : Mr.T.Arunan
for Ms.U.Indumathi

ORDER

The Criminal Revision Case has been filed to set aside the interim order dated 15.09.2023 passed in M.P.No.409 of 2023 in M.C.No.590 of 2022, on the file of the 1st Additional Family Court, Chennai.

2. The learned counsel appearing for the petitioner submits that the petitioner is the husband of the first respondent and the second and third respondents are the children of the petitioner. The respondents have filed a maintenance case in M.C.No.590 of 2022 before I Additional Family Court, Chennai and also filed a petition seeking interim maintenance in M.P.No.409 of 2023, wherein, the trial Court directed the petitioner to pay a sum of Rs.10,000/- per month to the first respondent and Rs.3,000/- per month to each of the respondents 2 and 3. Challenging the same, the present petition has been filed.



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3. The learned counsel appearing for the petitioner submits that as per the undertaking given by the petitioner on 13.06.2024, the petitioner has settled his immovable property which is worth about Rs.80,00,000/- in favour of his children/second and third respondents as permanent alimony and the same was registered vide Document No.3602 of 2024 and the petitioner has already vacated from the property and the property is free from encumbrance and a memo dated 15.07.2024 has been filed to that effect.

4. The learned counsel appearing for the respondents submits that since the immovable property was settled in favour of the children/second and third respondents, the respondents relinquished their rights in respect of maintenance.

5. Considering the submission made by both sides and the compromise entered into between the parties, the impugned order dated 15.09.2023 passed in M.P.No.409 of 2023 in M.C.No.590 of 2022 by the I



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Additional Family Court, Chennai, is set aside. Since the petitioner has settled his immovable property which is worth about Rs.80,00,000/- in favour of his children/second and third respondents as permanent alimony in lieu of paying maintenance and the respondents have relinquished their rights in respect of maintenance, the learned I Additional Family Judge, Chennai, is directed to close M.C.No.590 of 2022 filed by the respondents.

6. Accordingly, the Criminal Revision Case is allowed. Connected miscellaneous petition is closed.

15.07.2024

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

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To

The 1st Additional Family Court, Chennai.



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M.DHANDAPANI, J.

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