



Crl.R.C.No.751 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.751 of 2022
and Crl.MP.No.7660 of 2022

K.Senthil Kumar

... Petitioner

Vs.

1. V.Kalaiselvan
2. Nithya
3. Pradeep

... Respondents

Prayer : Criminal Revision Petition filed under Section 397 r/w. 401 of Criminal Procedure Code, to call for the records relating to the order dated 12.01.2022 passed by the learned Family Court Judge, Namakkal in MC.No.14 of 2018.

For Petitioner : Mr.S.Sheik Ismail

For Respondent : Mr.P.Sathish Kumar R1

No appearance for RR2 & 3

ORDER

This Criminal Revision case has been filed against the order dated 12.01.2022 passed by the learned Family Court Judge, Namakkal



CrI.R.C.No.751 of 2022

in MC.No.14 of 2018.

WEB COPY

2. The facts of the case are as follows:

The petitioner herein is the son of the first respondent. Due to cruelty, the petitioner and his mother left the matrimonial home. Now the first respondent is living with the second wife and his children, who is the respondents 2 and 3. The first respondent, who is the father of the petitioner filed a maintenance case before the Family court and the same was taken on file in MC.No.14 of 2018, the learned Judge has ordered to pay a sum of Rs.4,000/- to the first respondent payable by the petitioner. Challenging the said order, the present revision has been filed by the son.

3. Heard the learned counsel for the petitioner as well as the respondent and perused the materials available on record.

4. The learned counsel for the petitioner submitted that during pendency of the revision, the issue was amicably settled between the petitioner and the respondents. Therefore, this Court may set aside the



CrI.R.C.No.751 of 2022

order passed by the trial Court and allow this petition.

WEB COPY

5. The learned counsel for the first respondent has not raised any objection in this regard and the first respondent has filed affidavit before this Court and the relevant paragraphs are extracted hereunder:

"2. I submit that I filed maintenance case in MC.No.14 of 20198 against my son on the file of the learned Family Court, Namakkal. The above case was disposed by the trial Court vide order dated 12.01.2022 directing the petitioner herein to pay Rs.4,000/- The above order was assailed by the petitioner herein.

3. I submit that I hereby undertake that I will not claim maintenance from my son in respect of the order dated 12.01.2022 passed by the learned trial Court".

The learned counsel for the first respondent further submitted that the first respondent will not claim any amount from the petitioner in future.

6. In view of the submissions made on either side, the order



CrI.R.C.No.751 of 2022

WEB COPY

order in MC.No.14 of 2018 passed by the learned Principal District Judge, Family Court, Namakkal is set aside and accordingly, the Revision is allowed. Consequently, connected miscellaneous petition is also closed.

12.07.2024

Index: Yes/No
Speaking/Non-Speaking order
Rli

To

The Family Court Judge, Namakkal.



WEB COPY



Crl.R.C.No.751 of 2022

M.DHANDAPANI, J.

rli

Crl.R.C.No.751 of 2022

12.07.2024