



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

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

Crl.R.C.No.840 of 2024

S.Mohammed Mohideen

... Petitioner

Vs.

B.Thaslin Firdous

... Respondent

Prayer: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C, to set aside the order in MC.No.60 of 2021 dated 09.02.2024 on the file of the Vth Additional Family Court, Chennai.

For Petitioner

: Mr.A.Mazar

For Respondent

: Mr.R.Rajmohan

ORDER

This petition has been filed seeking to quash the order in MC.No.60 of 2021 dated 09.02.2024 on the file of the Vth Additional Family Court, Chennai.

2. The facts of the case are as follows:

The petitioner is husband and the respondent is his wife. The marriage between them was solemnized on 29.12.2019 as per Muslim rites and customs. Due to misunderstanding between the couple, they were living separately, for which, the respondent has filed a maintenance case before the Family Court



under Section 125 of Cr.P.c. Claiming a sum of Rs.75,000/- per month. The Family Court, vide order dated 09.02.2024, passed the order directing the petitioner to pay a sum of Rs.25,000/- per month to the wife towards maintenance from the date of petition. Aggrieved over the same, the present revision has been filed.

3. The learned counsel for the petitioner submitted that admittedly the Family Court has been ordered to pay a sum of Rs.25,000/- to the respondent. At present, the petitioner is earning a sum of Rs.20,000/- per month. Without considering the same, the Family Court has ordered huge maintenance. However, this Court has granted interim stay and directed to pay a sum of Rs.15,000/- per month to the respondent. Accordingly, the petitioner has paid entire arrears of maintenance to the respondent. The learned counsel further submitted that the petitioner is ready to pay a sum of Rs.15,000/- per month to the respondent.

4. The learned counsel for the respondent has not raised any serious objection for the submission made by the learned counsel for the petitioner.



5. Heard the learned counsel for the petitioner and the respondent and perused the materials available on record.

6. The petitioner has paid the entire arrears of maintenance before this Court and he has come forward to pay a sum of Rs.15,000/- per month to the respondent and the respondent has also accepted the same.

7. Considering the facts and circumstances of the case and in view of the fair submission made by the learned counsel for the petitioner, this Court passes the following orders:

(i) The petitioner is directed to pay a sum of Rs.15,000/- (Rupees Fifteen thousand only) per month toward maintenance to the respondent on or before 5th of every English calender month;

8. With the above modification and direction, the revision is disposed of. Consequently, connected miscellaneous petition is also closed.

29.07.2024



WEB COPY



M.DHANDAPANI.J.

rli

Index: Yes/No

Speaking/Non speaking order

rli

To

The V Additional Family Court, Chennai.

Crl.R.C.No.840 of 2024

29.07.2024