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Crl.R.C.No.1090 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.1090 of 2024

and

Crl.M.P.No.9226 of 2024

S.Elumalai

... Petitioner

Vs.

Dilliammal

... Respondent

Prayer : Criminal Revision Case filed under Section 397(1) r/w 401 Cr.P.C, praying to call for the records pertaining to the order in M.C.No.32 of 2022 dated 13.02.2024 passed by the learned Judge, Family Court, Thiruvallur and set aside the same.

For Petitioner : Mr.P.Satheesh Kumar

For Respondent : M/s.Selvi George



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ORDER

This Criminal Revision Case is filed against the order of the Family Court, Thiruvallur dated 13.02.2024 in M.C.No.32 of 2020.

2. The case of the petitioner is that, the marriage of the petitioner/husband and the respondent/wife was solemnized on 06.03.2003 at Raja Ravi Thirumana Mandapam at Thamaraiakkam Kootu Road, Thiruvallur as per Hindu rites and customs in the presence of both family members and relatives and three children were born from and out of the wedlock between the petitioner and the respondent. Due to matrimonial dispute, the petitioner and the respondent are living separately. Thereafter, the petitioner filed H.M.O.P.No.31 of 2022 to dissolve the marriage and the respondent filed M.C.No.32 of 2022 claiming monthly maintenance of Rs.25,000/- on the file of Family Court, Thiruvallur. After adjudication, the Trial Court, passed a common order dated 13.02.2024 granting divorce on the ground of cruelty in favour of the petitioner and ordered a sum of Rs.10,000/- p.m. to the respondent. Aggrieved by the same, the present revision is filed by the petitioner/husband.



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3. The learned counsel appearing for the petitioner submitted that, the petitioner there was a compromise in between the parties and the learned counsel, on instructions, submitted that the petitioner/husband is ready to pay a sum of Rs.7,000/- p.m. as maintenance to the respondent/wife. Accordingly, he prays for appropriate orders.

4. The learned counsel appearing for the respondent has no objection for the said order being passed.

5. In view of the fair submissions made by the learned counsel for the parties, without going into the merits of the case, this Court, is inclined to dispose of the revision in the following terms :-

(i) the petitioner is directed to pay a sum of Rs.7,000/- p.m. to the respondent as maintenance on or before the 10th day of every English calendar month directly to the bank account of the respondent through RTGS/NEFT ;



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M.DHANDAPANI, J.

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(ii) the petitioner is directed to pay the entire arrears of maintenance, less the amount, if any, already paid by him, directly to the bank account of the respondent through RTGS/NEFT at the rate of Rs.7,000/- per month, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above directions, the Criminal Revision Case is disposed of. Consequently, connected criminal miscellaneous petition is closed.

23.07.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
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To

The Family Court, Thiruvallur.

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