



Crl.RC.No.1670 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2024

CORAM:

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

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D.Jayanthi

...Petitioner

Vs.

L.Sathish

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure as against the Maintenance order passed on the petitioner by the Family Court Judge, Thiruvallur in MC.No.13 of 2021 dated 09.02.2023.

For Petitioner : Mr.C.Srinivasan

For Respondent : Mr.K.Dilith Kumar

ORDER

This Criminal revision petition has been filed to set aside the order of the Family Court Judge, Thiruvallur in MC.No.13/2021 dated 09.02.2023. The learned Judge has ordered maintenance of Rs.5,000/- per month to the wife, the petitioner herein.



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2. The case of the petitioner is that, the marriage between the petitioner/wife and the respondent/husband was solemnized on 22.01.2018 as per Hindu Rites and Customs. However, due to some difference of opinion, they got separated. Thereafter, the petitioner/wife filed a maintenance case under Section 125 of Cr.P.C. in MC.No.13 of 2021 on the file of the Family Court Judge, Thiruvallur, claiming maintenance amount of Rs.15,000/- per month. After adjudication, the trial Court awarded a sum of Rs.5,000/- per month to the petitioner/wife. Aggrieved with the said order, the petitioner has filed the present revision, seeking enhancement of the maintenance amount awarded by the trial court.

3. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, this Court, without going into the merits of the case, may grant liberty to the petitioner to file a petition under Section 127 of Cr.P.C. for necessary enhancement of maintenance amount awarded in favour of the petitioner.

4. Learned counsel appearing for the respondent submitted that, the trial court, after considering all the relevant documents placed before it, has



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awarded a maintenance of Rs.5,000/- per month in favour of the petitioner, which is just and reasonable maintenance, which needs no interference.

However, he has no objection for the limited request sought for by the learned counsel for the petitioner.

5. In view of the limited request sought for by the learned counsel for the petitioner, this Court, without going into the merits of the case and without interfering with the impugned order, grants liberty to the petitioner to file appropriate petition under Section 127 of Cr.P.C. for enhancement of the maintenance amount awarded by the trial court in her favour.

6. Accordingly, this Criminal Revision Case stands disposed of with the aforesaid liberty.

03.04.2024

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No

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M.DHANDAPANI, J.

skt

To

1. The Family Court Judge, Thiruvallur.
2. The Public Prosecutor
High Court, Madras.

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