



Crl.M.P.No.11770 of 2024 in
Crl.R.C.No.1234 of 2024

M.DHANDAPANI, J.

This matter is listed under the caption “For clarification” at the instance of the learned counsel for the petitioner.

2. Learned counsel appearing for the petitioner submits that though the respondent / wife performed her second marriage on 26.08.2021, however, this Court has directed the petitioner to pay the entire arrears of maintenance at the rate of Rs.10,000/- from the date of maintenance petition till date to the respondent. Hence, he prayed this Court to direct the petitioner to pay the arrears amount from the date of maintenance petition till 25.08.2021 as the respondent performed her second marriage on 26.08.2021.

3. Considering the facts and circumstances of the case, para -2 of the order dated 26.07.2024 in Crl.M.P.No.10562 of 2024 in Crl.R.C.No.1234 of 2024 shall stand replaced in the following terms:-

“2. Considering the prima facie case, there shall be an order of interim stay on condition that, the

M.DHANDAPANI, J.



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RAP

petitioner shall pay the entire arrears of maintenance at the rate of Rs.10,000/- per month by way of demand draft in favour of the respondent from the date of maintenance petition till 25.08.2021 since it is alleged that the respondent performed her second marriage on 26.08.2021, within a period of two weeks from the date of receipt of a copy of this order. Failing compliance of which, the interim stay granted by this Court today will automatically stand dismissed on the next date of hearing.”

4. Registry is directed to make the necessary corrections in the order dated 26.07.2024 and issue fresh order copy to the parties.

02.09.2024

RAP

Note to Office: Issue order copy on 02.09.2024

Crl.M.P.No.11770 of 2024
in
Crl.R.C.No.1234 of 2024

Crl.RC.No.1234 of 2024
and



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Crl.MP.No.10562 of 2024

M.DHANDAPANI, J.

Admit. Notice.

**26.07.2024
(1/2)**

skt

Crl.MP.No.10562 of 2024

in

Crl.RC.No.1234 of 2024



M.DHANDAPANI, J.

Learned counsel for the petitioner submitted that, the marriage between the petitioner/husband and the respondent/wife was solemnised on 25.10.2009. While so, due to some matrimonial dispute, the petitioner and the respondent got separated. In such circumstances, alleging that, the petitioner refused to maintain the respondent, she filed a maintenance case in MC.No.122 of 2017 claiming a monthly maintenance of Rs.25,000/- and the trial court, vide impugned order dated 18.04.2024, allowed the said petition in part and ordered for a monthly maintenance of Rs.20,000/- to the respondent. He further submitted that, though the petitioner submitted necessary evidence to show that the respondent is earning sufficiently to meet out her day to day needs, which was also admitted by the respondent herself, without considering any of the said facts, the trial court had ordered for a maintenance of Rs.20,000/- per month in favour of the respondent payable by the petitioner, which is wholly unreasonable and the same is on the higher side. Accordingly, he prayed for appropriate orders.

2. Considering the *prima facie* case, there shall be an order of interim stay on condition that, the petitioner shall pay the entire arrears of maintenance at the rate of Rs.10,000/- from the date of maintenance



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petition till date to the respondent within a period of two weeks from the date of receipt of a copy of this order and the petitioner shall continue to pay the maintenance as fixed by this Court to the respondent on or before the 5th day of every English Calendar month until further orders. Failing compliance of which, the interim stay granted by this Court today will automatically stand dismissed on the next date of hearing.

3. Notice to the respondent returnable by two weeks. Private notice is also permitted.

4. Post the matter under the caption “For reporting compliance” on 09.08.2024.

26.07.2024
(2/2)

skt

Note to Office: Issue order copy on 29.07.2024.

M.DHANDAPANI, J.

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Crl.MP.No.10562 of 2024
in
Crl.RC.No.1234 of 2024
(2/2)

26.07.2024