



WEB COPY



Crl.RC.No.774 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.04.2024

CORAM:

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

Crl.RC.No.774 of 2024

1. C.Deepika
2. Minor. Mithran
Rep by his Mother and natural Guardian C.Deepika ...Petitioners

Vs.

S.B.Manikanda Nithin ...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to enhance the Interim Maintenance order dated 18.10.2022 passed in M.P.No.697 of 2019 in M.C.No.438 of 2018 on the file of III Additional Principal Judge, II Additional Family Court at Chennai.

For Petitioners : Mr.C.Vidhusan

For Respondent : Mr.Sithi Fathimasamil

ORDER

This Criminal Revision Case is filed to enhance the Interim Maintenance order dated 18.10.2022 passed in M.P.No.697 of 2019 in M.C.No.438 of 2018 on the file of III Additional Principal Judge, II



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Additional Family Court at Chennai.

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2. The case of the petitioner is that, the marriage of the 1st petitioner/wife and the respondent/husband was solemnized on 21.04.2016 as per Hindu Rites and Customs at Kanna Mahal, Anna Salai, Vellore Town and out of the wedlock between the 1st petitioner and the respondent, a male child was born. Due to some family dispute, the first petitioner filed a maintenance case under Section 125 of Cr.P.C. in M.C.No.438 of 2018 on the file of Principal Family Court, Chennai seeking a direction to the respondent to pay a sum of Rs.50,000/- per month as maintenance to the petitioners herein and in which, the 1st petitioner also filed a petition seeking interim maintenance in M.P.No.697 of 2019 in M.C.No.438 of 2018 on the file of II Additional Family Court, Chennai. After adjudication, the Trial Court, by its order dated 18.10.2022 partly allowed the M.P., directing the respondent/husband to pay a sum of Rs.15,000/- p.m. to the 2nd petitioner (child). Not satisfied with the same, the 1st petitioner/wife has preferred the present revision before this Court seeking enhancement.



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3. The learned counsel appearing for the petitioners submitted that, though the first petitioner has filed the present revision petition seeking to enhance the interim maintenance order dated 18.10.2022 passed in M.P.No.697 of 2019 in M.C.No.438 of 2018, however, at the time of arguments, upon instructions, he prayed that this Court may direct the trial Court to dispose of the maintenance case in M.C.No.438 of 2018 which is pending on the file of Principal Family Court, Chennai within the reasonable time frame that may be fixed by this Court.

4. Heard the contentions of the learned counsel appearing for the respondent and perused the materials available on record.

5. In view of the submission made by the learned counsel for the petitioners, this Court without going into the merits of the case, directs the Trial Court to dispose of the maintenance case in M.C.No.438 of 2018 within a period of three months from the date of receipt of a copy of this order.



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



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To
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1. The III Additional Principal Judge,
II Additional Family Court at Chennai.
2. The Public Prosecutor
High Court, Madras.



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M.DHANDAPANI, J.

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