



Crl.R.C.No.1644 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.1644 of 2023

And

Crl.M.P.No.15498 of 2023

N.Kamaraj

... Petitioner

Vs.

1.Usha

2.K.Abinash

... Respondents

Prayer:

Criminal Revision Case filed under Section 397 read with 401 of Criminal Procedure Code, seeking to set aside the impugned order dated 22.08.2023 passed by the learned III Additional Principal Judge/ V Additional Family Court (FAC), Chennai in M.P.No.219 of 2021 in M.C.No.237 of 2020, which inter-alia directed the petitioner to pay a sum of Rs.9,000/- to the first respondent and Rs.7,000/- to the second respondent/ son of the petitioner towards interim maintenance from the date of filing the petition i.e. on 18.02.2021 till the disposal of the maintenance case.

For Petitioner : Mr.M.Palanivel

For Respondents : Mr.S.Devan

O R D E R

The criminal revision case has been filed seeking to set aside the



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the order dated 22.08.2023 passed by the learned III Additional Principal Judge/ V Additional Family Court (FAC), Chennai in M.P.No.219 of 2021 in M.C.No.237 of 2020.

2.The case of the petitioner is that the petitioner is the husband and the first respondent is the wife. Their marriage was solemnized on 03.09.1998 and out of the wedlock, they were blessed with two sons including the second respondent. Thereafter there was a matrimonial dispute between them and the respondents filed maintenance case under Section 125 of Cr.P.C. in M.C.No.237 of 2020 before the learned III Additional Principal Judge/ V Additional Family Court (FAC), Chennai and along with it, the respondents filed M.P.No.219 of 2021 seeking monthly interim maintenance of Rs.20,000/-. The Court below partly allowed the said petition and directed the petitioner to pay a sum of Rs.9,000/- to the first respondent and Rs.7,000/- to the second respondent towards interim monthly maintenance from the date of filing of the petition i.e., 18.03.2021 till the disposal of the maintenance case. Challenging the same, the present revision has been filed.

3.The learned counsel for the petitioner submitted that it would



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suffice if this Court issue direction to the Court below to dispose of the main maintenance case within a time frame.

4.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondent.

5.In view of the submissions made by the learned counsel appearing for the petitioner, this Court directs the petitioner to deposit the entire arrears amount to the credit of M.C.No.237 of 2020 on the file of the learned III Additional Principal Judge/ V Additional Family Court (FAC), Chennai, less the amount if any, already deposited, within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall continue to pay a sum of Rs.16,000/- per month to the respondents towards interim maintenance on or before 7th of every succeeding English Calender Month till the disposal of the maintenance case. After the petitioner deposits the entire arrears amount, the learned III Additional Principal Judge/ V Additional Family Court (FAC), Chennai, shall dispose of the maintenance case in M.C.No.237 of 2020, on merits and in accordance with law, within a period of six months thereafter.



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M.DHANDAPANI,J.
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6.This criminal revision case is disposed of on the above terms.
Consequently, the connected miscellaneous petition is closed.

24.07.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The III Additional Principal Judge/
V Additional Family Court (FAC),
Chennai.

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CrI.M.P.No.15498 of 2023

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