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Crl.R.C.No.1747 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 15.07.2024**

**CORAM**

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

**Crl.R.C.No.1747 of 2023**

**And**

**Crl.M.P.No.16616 of 2023**

E.Govindaraju

... Petitioner

Vs.

1.S.Yuvarani

2.G.Harish, Minor

Represented by his Mother

the 1<sup>st</sup> respondent and next friend

... Respondents

**Prayer:**

Criminal Revision Case filed under Section 397 and 401 of Criminal Procedure Code, seeking to set aside the order dated 28.07.2023 in M.P.No.272 of 2023 in M.C.No.533 of 2022 on the file of III Additional Principal Family Court at Chennai.

For Petitioner : M/s.K.Prabhakaran

For Respondents : M/s.C.K.M.Appaji

**ORDER**

The criminal revision case has been filed seeking to set aside the order dated 28.07.2023 in M.P.No.272 of 2023 in M.C.No.533 of 2022



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passed by the III Additional Principal Family Court at Chennai.

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2.The facts of the case is that the petitioner is the husband and the respondent is the wife. Their marriage was solemnized on 05.09.2016 and out of the wedlock, they were blessed with 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.533 of 2022 and along with it, the respondents filed M.P.No.272 of 2023 seeking monthly interim maintenance of Rs.35,000/-. The Court below partly allowed the said petition and directed the petitioner to pay a sum of Rs.22,000/- (Rs.7,000/- to the first respondent and Rs.15,000/- to the second respondent) to the respondents towards interim monthly maintenance from the date of the filing of the petition i.e., 09.01.2023. Challenging the same, the present revision has been filed.

3.The learned counsel for the petitioner submitted that though this revision has been filed challenging the interim maintenance awarded to the respondents, the petitioner has paid the entire interim maintenance amount as on date and prayed this Court to issue direction to the Court below to dispose of the main maintenance case.



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4.The submission made by the learned counsel for the petitioner is not disputed by the learned counsel appearing for the respondents.

5.In view of the above, this Court, without going into the merits of the case and without interfering with the order impugned in the revision, directs the III Additional Principal Family Court at Chennai to dispose of the maintenance case in M.C.No.533 of 2022, within a period of five months from the date of receipt of a copy of this order. The petitioner shall continue to deposit the interim maintenance amount on or before 5<sup>th</sup> of every succeeding English Calender till the disposal of the maintenance case.

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

15.07.2024

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

To

1.The III Additional Principal Family Court at Chennai.

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**M.DHANDAPANI,J.**  
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