



CrI.R.C.No.551 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.R.C.No. 551 of 2024

and

CrI.M.P.No.5319 of 2024

S.Vijendran
S/o.Sugumar

... Petitioner

Vs.

1.M.Sreelakshmi
W/o.Vijendran

2.V.Thaman
S/o.Vijendran
[minor represented by natural
guardian-mother (M.Sreelakshmi)]

... Respondents

PRAYER: Criminal Revision Petition filed under Sections 397 and 401 Cr.P.C, to set aside the order dated 01.10.2022 passed by the learned III Additional Principal Family Judge, Chennai in M.C.No.335 of 2015.

For Petitioner : Mr.Perumbulavil Radhakrishnan

For Respondents : Mr.M.Aswin

ORDER



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The petitioner/respondent in M.C.No.335 of 2015 has filed the present revision challenging the order dated 01.10.2022 passed by the learned III Additional Principal Family Judge, Chennai granting maintenance to the tune of Rs.24,000/- i.e., Rs.14,000/- to the first respondent/wife and Rs.10,000/- to the second respondent/minor son.

2. Pursuant to the order of this Court dated 23.09.2024, today, the petitioner had produced a salary certificate along with pay slips for the month of December, 2023, August 2024 and September 2024 from his employer namely CONCENTRIX to prove the fact that his average salary per month approximately is only Rs.29,000/-. The petitioner is ready to pay 1/3rd of his salary to the second respondent, since the first respondent/wife has not disputed her employment as she is a medical coder earning a sum of Rs.45,000/- per month.

3. It is submitted by learned counsel for respondents that first respondent would be satisfied if monthly maintenance is paid by the petitioner to the second respondent/minor son.

4. The learned counsel for the petitioner submitted that on 30.07.2024



the petitioner has paid a sum of Rs.3,00,000/- to the respondents as arrears amount. He further submitted that the petitioner is ready to pay 1/3rd of his salary to his minor son/the second respondent herein and as per the salary certificate produced 1/3rd amount is worked out to Rs.9,500/- per month. He further submitted that the petitioner is ready to pay the balance arrears amount from the date of filing of the petition, which is payable by the petitioner is worked out at Rs.9,50,000/-. Since the petitioner had already paid a sum of Rs.3,00,000/-, the petitioner shall pay the balance amount of Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand Only). The learned counsel for the respondents is also agreeable to the same.

5. In view of the broad understanding between the parties, this Criminal Revision Petition is allowed by setting aside the order passed in M.C.No.335 of 2015 on the file of the learned III Additional Principal Family Judge, Chennai with the following conditions.

(i) the petitioner shall pay a sum of Rs.9,500/- as monthly maintenance to the second respondent/minor son on the 10th day of every English Calender month.

(ii) As regards arrears of maintenance, out of Rs.9,50,000/- of arrears



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amount, the petitioner had already paid a sum of Rs.3,00,000/- to the respondents, a proof is also filed to that effect and the same is recorded.

Therefore, the petitioner is directed to pay the balance amount of Rs.6,50,000/- to the respondents within a period of one month i.e., on or before 30.11.2024.

(iii) The learned counsel for the petitioner undertakes to pay arrears amount due and any further amount or any discrepancy in the same would be sorted out with the first respondent.

(iv) In the event of failure of aforementioned conditions, this revision petition would stand automatically dismissed.

(v) Consequently, connected miscellaneous petition is closed.

18.10.2024

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
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To

The III Additional Principal Family Judge,
Chennai.



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M.NIRMAL KUMAR, J.

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