



CrI.O.P.(MD)No.7854 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **15.02.2024**

CORAM:

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

CrI.O.P.(MD) No.7854 of 2022
and CrI.M.P(MD).No.5343 of 2022

R.Murugan @ Senthilkumar

... Petitioner

Vs.

1.S.Nagalakshmi

2.Minor S.Sri Vaishnavi

3.Minor S.Sri Harikumar

...Respondents

(*Minors are represented by their mother and
natural guardian, S.Nagalakshmi/first respondent*)

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the order in C.R.R.P.No.24 of 2020 dated 15.04.2021 passed by the learned Additional District and Session Judge, (Fast Track Court), at Kumbakonam, confirming the order in M.C.No.14/2018 dated 17.03.2020 passed by the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam and set aside the same.

For petitioner : Mr.R.Narayanan

For Respondents : Mr.A.N.Ramanathan



ORDER

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This Criminal Original Petition has been filed to call for the records pertaining to the order passed in C.R.R.P.No.24 of 2020 dated 15.04.2021, by the learned Additional District and Session Judge, (Fast Track Court), Kumbakonam, confirming the order passed in M.C.No.14/2018 dated 17.03.2020, by the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam and set aside the same.

2. The case of the petitioner is that the respondents have filed a maintenance case in M.C.No.14 of 2018 under Section 125 of Cr.P.C, before the learned Chief Judicial Magistrate, Thanjavur, Kumbakonam, claiming maintenance and after adjudication, the trial Court fixed the monthly maintenance of Rs.10,000/- in respect of the first respondent and Rs.5,000/- to each of the respondents 2 and 3, payable by the petitioner. Challenging the same, the petitioner has filed a criminal revision petition before the learned Additional District and Session Judge, (Fast Track Court), Kumbakonam, and the same was dismissed, against which, the present Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner is ready to join with the first respondent, however, she



did not accept the petitioner. Moreover, the petitioner has to take care of his aged parents. Hence, he seeks for modification of the monthly maintenance as fixed by the trial Court.

4. The learned counsel appearing for the respondents would submit that after adjudication, the trial Court has rightly fixed the monthly maintenance which is not an onerous one. Hence, he prays for dismissal of this petition.

5. It appears that the respondents have filed the maintenance case in M.C.No.14 of 2018 before the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam and the trial Court, after adjudication, has fixed the monthly maintenance of Rs.10,000/- in respect of the first respondent and Rs.5,000/- to each of the respondents 2 and 3, payable by the petitioner, against which, the petitioner has preferred C.R.R.P.No.24 of 2020 before the learned Additional District and Session Judge, (Fast Track Court), Kumbakonam and the same was dismissed on 15.04.2021. The monthly maintenance fixed by the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam, is just and reasonable one and does not warrant any interference by this Court.



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6. Accordingly, this Criminal Original Petition is dismissed.

Connected miscellaneous petition is closed.

15.02.2024

Index : Yes/No
Internet : Yes/No
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M.DHANDAPANI. J.

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