



CrI.RC.No.113 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.RC.No.113 of 2025

1.C.Aarthi @ Priyadarshini

2. Minor A.P.Siddharth

Minor represented by her mother/
natural guardian

... Petitioners

Vs.

R.Arun

... Respondent

Prayer: Criminal Revision Case filed under Section 397 read with 401 Cr.P.C./
438 read with 442 of B.N.S.S. to set aside the order vide in F.C.M.C. No.28 of
2023 on the file of the Family Court at Chengalpet dated 26.11.2024.

For Petitioners : Mr.M.R.Radhakrishnan

For Respondent : Mr.K.Sasindran



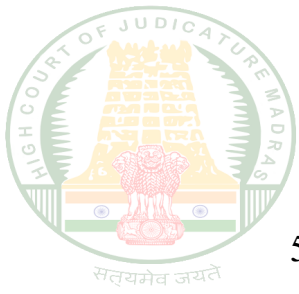
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ORDER

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This Criminal Revision Case has been filed by the petitioners to set aside the order passed in F.C.M.C. No.28 of 2023 on the file of the Family Court at Chengalpet dated 26.11.2024.

2. Heard both sides and perused the materials available on record.
3. The respondent is the wife of the first petitioner and father of the second petitioner.
4. The case of the petitioners is that the petitioners filed a maintenance case against the respondent in F.C.M.C. No.28 of 2023 before the Family Court, Chengalpet. Though the learned Judge, Family Court ordered maintenance of Rs.15,000/- each to the petitioners (Rs.30,000/- in total), however, without assigning any reason, ordered that the maintenance shall be paid from the date of order instead of from the date of filing of the maintenance petition. Therefore, the present revision is filed.



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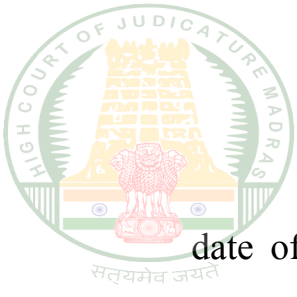
5. A reading of the impugned order shows that the Judge, Family Court

has not given any reason as to why the Magistrate had not ordered the maintenance to be paid from the date of filing of the maintenance case.

6. It is settled proposition of law that when an order is passed in a petition, the relief has to be given from the date of filing of the petition unless any specific reason or circumstances is given by the Judge, whereas, in this case, the Judge, Family Court has not given any reason as to why the Judge ordered maintenance from the date of order instead of from the date of filing of the petition.

7. The learned counsel for the respondent submitted that in the matrimonial O.P., the respondent had already paid a sum of Rs.6,000/- to the petitioners as interim maintenance and the same may be adjusted.

8. In view of the above, the impugned order is set aside insofar as the date of payment alone is concerned and the respondent is directed to pay the maintenance of Rs.15,000/- each (total Rs.30,000/-) to the petitioners from the



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date of filing of the maintenance case and the amount already paid by the respondent if any, shall be deducted.

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9. Insofar as the quantum of maintenance is concerned, while considering the materials, this Court is not inclined to interfere with the same.

10. With the above modification, this Criminal Revision Case is disposed of.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
The Family Court
Chengalpet

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P.VELMURUGAN. J.

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