



Criminal Original Petition No.4569 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Criminal Original Petition No.4569 of 2024

1.S.Shanthi
2.S.Sangeetha
3.S.Vasantha Devi

Petitioners

Vs

1.N.Subramani

2.The District Collector,
Chennai Collectorate,
Chennai.

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure directing the second respondent herein to take steps as revenue recovery in view of the adjudication order dated 05.08.2022 in M.P.No.231/2022 in MC No.573/2009 passed by the learned VII Additional Family Judge, Chennai.

For Petitioners : Mr.G.Magesh Kumar

For Respondents : No appearance [R1]
Mr.K.M.D.Muhilan
Government Advocate [Crl.side] [R2]



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ORDER

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This Criminal Original Petition is filed to direct the second respondent herein to take steps as revenue recovery in view of the adjudication order dated 05.08.2022 in M.P.No.231/2022 in MC No.573/2009 passed by the VII Additional Family Judge, Chennai.

2. The learned counsel for the petitioners submitted that the first petitioner is the wife of the first respondent and second and third petitioners are their children. The first petitioner has instituted maintenance case in M.C.No.573 of 2009 on the file of the VII Additional Family Judge, Chennai and the same has been ordered on 11.01.2018, directing the first respondent-husband to pay the petitioners and her daughters a sum of Rs.7,000/- per month from the date of application, which came around Rs.10,08,000/-, out of which Rs.84,000/- is the subject matter of attachment for the period from 23.12.2017 to 22.12.2018 in M.P.No.62 of 2019, for which warrant has been issued to the District Collector, Chennai, the 2nd respondent herein, to take steps for attachment of the property.

3. It is submitted that for the remaining Rs.9,24,000/- the first



petitioner filed petition in M.P.No.231 of 2022, seeking for attachment of the immovable property of the first respondent, which has been adjudicated and an order was passed on 05.08.2022, by issuing warrant to the second respondent, to take steps under Revenue Recovery Act to recover the amount towards the above arrears.

4. Though notice was served on the first respondent, none appeared on behalf of them before this Court.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case, this Court directs the second respondent to comply with the order dated 05.08.2022 in M.P.No.231 of 2022 in M.C.No.573 of 2009 passed by the VII Additional Family Judge, Chennai, by attaching the properties owned by the first respondent by initiating proceedings under the Revenue Recovery Act, within a period of four (4) weeks from the date of receipt of a copy of this order.



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7. With the aforesaid terms, this Criminal Original Petition is

allowed.

26.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. VII Additional Family Judge, Chennai.

2.The District Collector,
Chennai Collectorate,
Chennai.

3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J

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