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CRL RC No. 285 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 285 of 2024

and

CRL MP No.2758 of 2024

1. G.Rajapandi
S/O.Gurusamy,
No.45/17, Veerapandian Bomman
Street, Paguthi, Velachery Check Post,
Chennai.

Petitioner(s)

Vs

1. THERASA
W/o.Rajapandi,
No.80, Pillaiyar Koil Street,
Maduravoil, Chennai.

Respondent(s)

PRAYER

This Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C., to set aside the order dated 27.12.2023 passed in M.C.No.417 of 2018 by the V Additional Family Court Judge Chennai.



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For Petitioner(s): No appearance

For Respondent(s): Mr.R.Sivanathan

ORDER

This Criminal Revision Petition has been filed to set aside the order dated 27.12.2023 passed in M.C.No.417 of 2018 by the learned Judge, V Additional Family Court, Chennai.

2. When the matter was taken up for hearing on 25.03.2025, since there was no representation for the petitioner, this Court directed the Registry to print the name of the petitioner in the cause list and posted the matter on 08.04.2025 (today). When the matter is taken up for hearing today, none appeared on behalf of the petitioner. Heard the learned counsel for the respondent and perused the materials available on record.

3. The respondent/wife filed a maintenance case in M.C.No.417 of 2018 on the file of the V Additional Principal Family Court, Chennai. After enquiry, the learned Judge ordered a sum of Rs.20,000/- towards maintenance *vide* impugned order dated 27.12.2023. Aggrieved by the same, the



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petitioner/husband has filed this Criminal Revision Petition. Since the revision is pending from 2024 and the petitioner/husband is not interested in prosecuting the revision, the respondent/wife is suffering. The petitioner/husband is not taking care of the respondent/wife that too, he is not paying the arrears of monthly maintenance. Therefore, this Court is inclined to pass orders on merits.

4. It is seen from the records that the marriage between the petitioner and the respondent was solemnized on 04.05.1998 and out of their wedlock, a female child was born to them. The petitioner/husband abandoned the respondent/wife and the child. After much efforts, the respondent/wife found out the whereabouts of the petitioner /husband and filed a case for maintenance. Aggrieved by the impugned order passed by the trial court, the petitioner is before this Court.

5. It is also seen from the records that the respondent/wife has no means and she is unable to maintain herself. The petitioner despite having sufficient means, neglected to maintain his wife. The petitioner has not proved the contra evidence that the respondent suffered with disqualification for getting



maintenance. Further, despite grant of opportunity to the petitioner, the petitioner has not appeared before this Court. On perusal of the records and also the grounds taken by the petitioner, this Court does not find any merit in the revision. The petitioner is directed to pay the arrears of maintenance within a period of two months from the date of receipt of a copy of this order, failing which, the learned Judge, Family Court is directed to issue a warrant and collect the arrears of maintenance by adopting coercive method and pay the same to the respondent.

6. With the abovesaid direction, this Criminal Revision Petition is dismissed. Consequently connected miscellaneous petition is closed.

08-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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The Judge,

V Additional Family Court, Chennai.



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P.VELMURUGAN J

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08-04-2025