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CRL RC No. 1921 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1921 of 2025

and

CRL MP No. 18499 of 2025

H.Pandiyarajan

Petitioner

Vs

1. Minor P.Kanishka,
rep. By her mother and natural
guardian L.Poornimadevi

2. L.Poornimadevi

Respondent

CRL RC No. 1921 of 2025

PRAYER

To allow the above Criminal Revision Case by setting aside the judgment dated 16.12.2024 passed in M.C.No.07 of 2023 on the file of Judicial Magistrate Court, Tiruttani.

For Petitioner: Mr.K.Govi Ganesan

For Respondent: Mr.R.Subramaniam

ORDER

Challenging the impugned order passed by the learned Judicial



Magistrate Court, Tiruttani in M.C.No. 07 of 2023, the petitioner/husband preferred this Criminal Revision Petition.

2. The petitioner prayed to set aside the findings of trial court by raising following grounds :-

- (i) The Court below has erroneously awarded for a sum of Rs.15,000/- to the 1st respondent towards monthly maintenance, which is a excessive without considering that she is just 8 years old child only.
- (ii) The Court below erroneously awarded a sum of Rs.30,000/- per annum to the 1st respondent towards education expenses without properly considering the fact that she is just studying 3rd std. only.
- (iii) The court below failed to see that the 3rd respondent wife is also working as a teacher and she is considerably earning Rs.56,000/- per month and hence, out not to have awarded huge maintenance against the petitioner herein.
- (iv) The court below failed to see the petitioner has also to take care of his parents and maintain them, who are 75 years and 69 years respectively.
- (v) The court below failed to see that the 2nd respondent has admitted the 1st respondent in Bharathidasan School, Arakonam not as stated by her and there is no much expenses needed for that school.
- (vi) The court below failed to see that it is the 2nd respondent, who has deserted the matrimonial home along with the 1st respondent



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herein, without any rhyme or reason and she is not entitled for maintenance and therefore, the court below ought to have dismissed the M.C.

(vii) The court below failed to see that the petitioner has also filed HMOP No. 119 of 2024 for restitution of conjugal rights under Sec.3 of Hindu Marriage Act and the same is also pending and it is the 2nd respondent herein, who is adamantly refusing to lead the matrimonial home.

3. The learned counsel for petitioner would submit that the 2nd respondent wife purposely not inclined to live with him and she deserted the matrimonial home along with 1st respondent, however, he is bound to maintain his aged parents. Therefore, he prayed to modify the maintenance award in faovur of his daughter/1st respondent.

4. The learned counsel for respondent appeared and raised objections stating that the petitioner is also a Government school teacher and drawing salary of Rs.1,50,000/- in a Government Higher Secondary School, Ganapathipuram village.

5. Heard both sides.

6. Admittedly, both the petitioner and 2nd respondent are teachers. The petitioner is working in a Government Higher Secondary School and as on date, the 1st respondent is under the custody of wife/2nd respondent. Therefore,



awarding of Rs.15,000/- towards maintenance to the child alone as such is sustainable one. Furthermore, the reasons assigned by the trial court for awarding of maintenance is perused, which needs no interference of this court. Accordingly, this Criminal Revision Case is dismissed and the findings rendered by the trial judge is confirmed. The petitioner is directed to pay the maintenance awarded by the trial court regularly without fail on or before 5th of every English calendar month. If any balance in arrears of maintenance, the same is ordered to be paid within three months from the date of receipt of a copy of this order after deducting the amount, which was already paid by the petitioner. Consequently, the connected Criminal Miscellaneous Petition is closed.

13-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

Judicial Magistrate Court, Tiruttani.



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T.V.THAMILSELVI J.

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