



WEB COPY



Crl.R.C.No.436 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2025

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.No.436 of 2025

P.Vinothini

... Petitioner

Vs.

R.Rajasekar

...Respondent

Criminal Revision Case filed under Sections 397 r/w 401 of Cr.P.C., to set aside the order passed in F.C.M.C.No.1 of 2020 dated 24.12.2024 on the file of Family Court at Chengalpattu by allowing this Criminal Revision Petition and enhance the monthly maintenance to Rs.25,000/- instead of Rs.12,000/- and order the respondent to pay the monthly maintenance to the petitioner starting from 6th January, 2020, the date of filing petition F.C.M.C.No.1 of 2020, to cover her expenses for shelter, food, clothing, medicines and other necessities.

For Petitioner : Ms. P.Vinothini (Party-in-person)

For Respondent : Mr.A.P.Sathyamurthy



CrI.R.C.No.436 of 2025

ORDER

The present Revision has been filed challenging the order passed in in F.C.M.C.No.1 of 2020 dated 24.12.2024 on the file of Family Court at Chengalpattu wherein the court below ordered monthly maintenance of Rs.12,000/- per month from the date of order in favour of the petitioner.

2. The petitioner is the wife of the respondent and the marriage was solemnized between them on 17.06.2018. Thereafter, they had misunderstanding and as such, the petitioner was driven out from the matrimonial home. Initially, the petitioner was staying in her parents house and thereafter, the petitioner is staying in a rented premises, as such, she is not able to maintain herself, hence, the petitioner filed an application for maintenance in F.C.M.C.No.1 of 2020 and the trial Court ordered monthly maintenance of Rs.12,000/- payable by the respondent from the date of order, viz., 24.12.2024. Aggrieved by the same, the petitioner has preferred the present Revision.

3. The petitioner, (party-in-person) by relying upon a statement of accounts of the respondent, submits that the respondent is drawing a salary of Rs.1,50,000/- per month and the trial court without considering the same, ordered only a maintenance of Rs.12,000/- per month.



WEB COPY

4. Per contra, the learned counsel for the respondent would submit that the respondent is drawing only a sum of Rs.39,000/- per month as monthly salary. Further, the respondent is paying interim maintenance of Rs.6,000/- from the date of petition till the date of final order to the petitioner. After the final order, the respondent is also continuously paying the monthly maintenance as awarded by the trial court.

5. Heard the learned counsel on either side and perused the documents placed on record.

6. On perusal of the record it reveals that after filing the maintenance case, the trial court ordered interim maintenance of Rs.6,500/- payable by the respondent. Accordingly, the respondent continuously paid the interim maintenance to the petitioner and after completion of trial, the trial court ordered maintenance of Rs.12,000/- payable by the respondent as monthly maintenance in favour of the petitioner from the date of order, viz., 24.12.2024. In compliance to the same, the respondent is also paying the monthly maintenance continuously.



WEB COPY

7. On scrutinizing the statement of account of the respondent, it reveals that the petitioner is working in a private concern as Assistant Manager and drawing a salary of Rs.38,000/- and odd. There is absolutely no record to show that the respondent is drawing a sum of Rs.1,50,000/- as salary. The statement of account further reveals that the respondent was paid some amount immediately as his salary. However, every month the respondent was paid Rs.38,000/- and odd. Therefore, the trial court rightly awarded monthly maintenance as Rs.12,000/- and the respondent is also continuously complying the order of maintenance without fail.

8. Insofar as claim of maintenance from the date of filing of the petition is concerned, already the trial Court awarded interim maintenance payable by the respondent from the date of filing the petition and it was duly paid by the respondent till the date of final order. Therefore, the trial court rightly awarded monthly maintenance from the date of final order, hence this Court does not find any infirmity or illegality in the order passed by the trial court.



CrI.R.C.No.436 of 2025

WEB COPY

Accordingly, the present Revision is dismissed.

16.06.2025

Index : Yes/No
Internet : Yes/No
Speaking /Non-Speaking order
ssd

To

1. The Family Court,
Chengalpattu
2. The Public Prosecutor,
High Court, Madras



WEB COPY



Crl.R.C.No.436 of 2025

G.K.ILANTHIRAIYAN, J.,

ssd

Crl.R.C.No.436 of 2025

16.06.2025