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CRP.No.4234 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M. JOTHIRAMAN

CRP.No.4234 of 2025

N.Rohini

... Petitioner /
Petitioner

Versus

P.Udaya Kumar

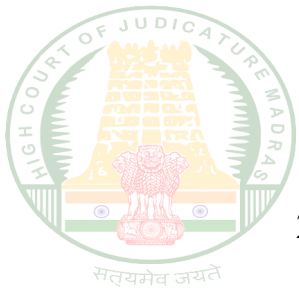
... Respondent /
Respondent

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, call for the record pertaining to the order dated 09.04.2025 in CrI.M.P.No.2209 of 2025 in DVA.No.1 of 2020 on the file of Judicial Magistrate Court, Mettupalayam and set aside the same.

For Petitioner : Mr.A.Parthasarathy
for M/s.A.Parthasarathy and Associates
For Respondent : Mr.P.A.Sai Govindaraja

ORDER

The Civil Revision Petition has filed seeking to call for the record pertaining to the order dated 09.04.2025 in CrI.M.P.No.2209 of 2025 in DVA.No.1 of 2020 on the file of Judicial Magistrate Court, Mettupalayam and set aside the same.



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2. The learned counsel appearing for the revision petitioner would submit that the revision petitioner / wife has filed a petition under Section 12, 18(a), (b), 19 (f), 20, 21 and 22 of Protection of Women From Domestic Violence Act in D.V.A.No.1 of 2020. During the pendency of this case, the petitioner / wife filed a petition in CrI.M.P.No.71 of 2021 in D.V.A.No.1 of 2020 seeking maintenance and the same was allowed by order dated 23.12.2024, in which the respondent was directed to pay maintenance of Rs.20,000/- per month to the petitioner. However, the respondent / husband had not obeyed the order and preferred an appeal before the learned Principal District and Sessions Court in CrI.A.CFR3269711 of 2023 along with a petition to condone the delay of 234 days in CrI.M.P.No.6573 of 2023, for which, the learned Principal District and Sessions Court, Coimbatore passed a conditional order to deposit a sum of Rs.3,60,000/-. However, the respondent / husband has not complied with the order of the learned Principal District and Sessions Court, Coimbatore. Challenging the same, the respondent had filed Civil Revision Petition in CRP.No.2566 of 2024 and the same was allowed on condition that the respondent / husband shall deposit a sum of Rs.2,00,000/- to the credit of DVA.No.1 of 2020 on the file of the Judicial Magistrate Court, Mettupalayam on or before 31.07.2024. Pursuant to this order, the



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respondent / husband has remitted a sum of Rs.2,00,000/- to the credit of DVA.No.1 of 2020 on the file of Judicial Magistrate, Mettupalayam Court, vide Challan No.100625 dated 21.07.2024. Hence, the petitioner / wife preferred an application in CrI.M.P.No.2209 of 2024 seeking to withdraw the amount deposited by the respondent / husband and the same was dismissed on 09.04.2025 on the ground that the order of this Court does not mention to whom the deposit shall be given. In such circumstances, it cannot be construed that the petitioner is entitled to the deposited amount. and that petition came to be dismissed. Aggrieved over the same, the petitioner / wife has filed the present Civil Revision Petition.

3. The learned counsel appearing for the respondent / husband has no serious objection for allowing the Civil Revision Petition.

4. In view of the above, the order dated 09.04.2025 passed by the Court below in CrI.M.P.No.2209 of 2024 is set aside and the petitioner / wife is permitted to withdraw the amount.

5. With the above observations, this civil revision petition stands disposed of. No costs.



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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

The learned Judicial Magistrate Court,

Mettupalayam.

M. JOTHIRAMAN, J.

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