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Crl.RC.No.1771 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.1771 of 2024 and

Crl.M.P.No.14586 of 2024

R.Jayakumar

... Petitioner

Vs.

Nihila.S

... Respondent

Prayer: Criminal Revision Case filed under Section 438 read with 442 of the B.N.S.S. to call for the records in M.C. No.8 of 2023 on the file of the Family Judge at Karaikal dated 24.07.2024 and set aside the order .

For Petitioner : Mr.S.Santhosh Kumar

For Respondent : No Appearance



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ORDER

This Criminal Revision Case has been filed by the petitioner to set aside the order passed in M.C. No.8 of 2023 on the file of the Family Court, Karaikal dated 24.07.2024.

2. The case of the petitioner is that the respondent who is the wife of the petitioner, filed a maintenance case against the petitioner in M.C. No.8 of 2023 before the Family Court, Karaikal and the learned Judge, Family Court by order dated 24.07.2024, ordered monthly maintenance of Rs.12,000/-. Aggrieved by the same, the petitioner has filed the present revision.

3. The learned counsel for the petitioner submitted that the respondent has not made any specific allegation against the petitioner either for cruelty or for desertion. Further, the respondent admitted during cross examination that she voluntarily left the matrimonial home without any valid reason and therefore, she is not entitled to get maintenance. He further submitted that the



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petitioner has no income and he is not a man of means and that he himself is

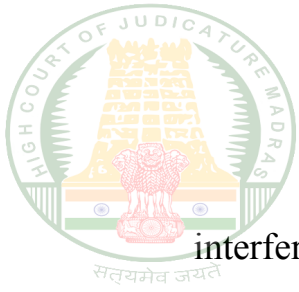
depending upon his mother. The Judge, Family Court failed to consider the oral and documentary evidence and ordered maintenance of Rs.12,000/- which is perverse and the same is liable to be set aside.

4. Though notice served on the respondent and her name is also printed in the cause list, there is no representation for the respondent.

5. Heard the learned counsel for the petitioner and perused the materials available on record.

6. The marriage and relationship between the parties is not in dispute. The petitioner admitted that the respondent is residing away from the petitioner in her parental home. Though the petitioner submitted that he took much efforts to bring back the respondent to the matrimonial home, the petitioner has not examined any independent witness to prove the same and also not proved that the respondent is a woman of means and she is able to maintain herself.

7. Under these circumstances, this Court does not find any reason to



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interfere with the order of the Family Court and there is no merits in this

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revision.

8. Accordingly, this Criminal Revision Case is dismissed. Consequently,
the connected Miscellaneous Petition is closed.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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The Family Court,
Karaikal



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P.VELMURUGAN. J.

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