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CrI.RC.No.2187 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.RC.No.2187 of 2024

1. Aishwariya

2. Minor.G.Vetri

... Petitioners

Vs.

G.Ra.Gokul

... Respondent

Prayer: Criminal Revision Case filed under Section 438 and 442 of B.N.S.S. to call for the records in M.P.No.1205 of 2024 in M.C.No.415 of 2023, passed by the VI Additional Principal Judge, Family Court, Chennai and set aside the common order dated 01.10.2024.

For Petitioners

: Mr.K.Balasubramaniam

For Respondent

: Mr.Jayesh B.Dolia

Senior Counsel

for M/s.Aiyar & Dolia



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ORDER

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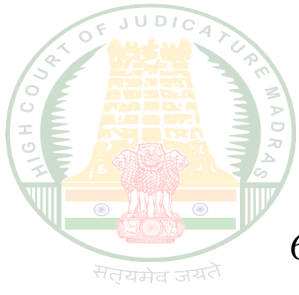
This Criminal Revision Petition has been filed by the wife and son of the respondent, to set aside the order passed by the VI Additional Principal Judge, Family Court, Chennai in M.P.No.1205 of 2024 in M.C.No.415 of 2023 by dismissing the petition filed by the petitioners under Section 126(2) of Cr.P.C. seeking refund of school fees of the 2nd petitioner, as redundant.

2. It is settled proposition of law that no revision is maintainable against interlocutory order and it is barred under Section 397(2) of Cr.P.C.

3. Since the present revision is filed against the interlocutory order passed in M.P.No.1205 of 2024 in M.C.No.415 of 2023, this revision is not maintainable.

4. Hence, this Criminal Revision Case is dismissed as not maintainable.

5. However, the petitioners are at liberty to work out their remedy in the manner known to law in the pending maintenance case.



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6. Further, since the maintenance case is summary in nature, the same

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can be decided based on the affidavit of assets and liability statement of the parties. Therefore, the learned Judge, Family Court, is directed to dispose of the main M.C. within a period of two months from the date of receipt of a copy of this order.

28.03.2025

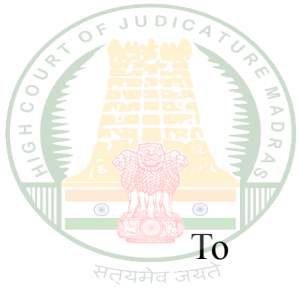
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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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The VI Additional Principal Judge,
Family Court, Chennai



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P.VELMURUGAN. J.

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