



*CRL RC(MD)No.798 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 16.06.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**CRL RC(MD)No.798 of 2023**

Muthulakshmi

... Petitioner / Petitioner

Vs.

Murugan

... Respondent / Respondent

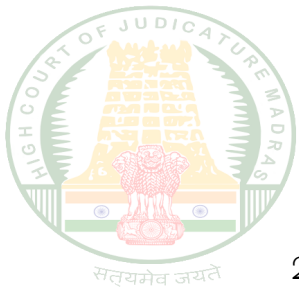
**PRAYER:** Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the record in Crl.M.P.No.1161 of 2018 dated 14.06.2023 on the file of the learned Judicial Magistrate No.I, Srivaigundam and set aside the same and enhance the maintenance amount to Rs.10,000/- per month.

For Petitioner : Mr.M.Babar Mirija

For Respondent : Mr.P.Kirtheenathan,  
For R.J.Karthick

**ORDER**

This Criminal Revision Petition is filed to call for the records in Crl.M.P.No.1161 of 2018 dated 14.06.2023 on the file of the learned Judicial Magistrate No.I, Srivaigundam, and set aside the same and enhance the maintenance amount to Rs.10,000/- per month.

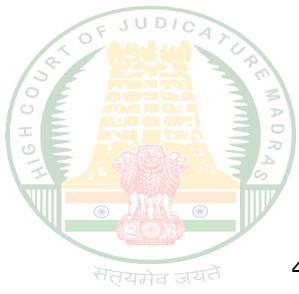


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2. The petitioner herein is the wife of the respondent husband.

The petitioner, at the first instance, filed a maintenance case in M.C.No. 9 of 2005, dated 04.08.2006, before the learned Judicial Magistrate No.I, Srivaigundam, seeking maintenance. The learned Trial Court was pleased to pass an order of maintenance of Rs.500/- per month, by order dated 04.08.2006. Thereafter, in the same case, the petitioner filed yet another Crl.M.P.No.1161 of 2018 seeking enhancement of the maintenance amount from Rs.500/- per month to Rs.10,000/- per month. The learned Judicial Magistrate on considering the facts and circumstances of the maintenance case with respect to the petitioner and the respondent herein enhanced the maintenance from Rs.500/- to Rs.4000/- per month. However, aggrieved by the said order, this Criminal Revision case is preferred before this Court.

3. The contention of the petitioner is that the respondent is earning more than Rs.30,000/- per month and hence, the petitioner had filed a petition under Section 127 Cr.P.C., seeking enhancement of maintenance from Rs.500/- to Rs.10,000/-. However, the learned Judicial Magistrate had enhanced the same only to Rs.4000/- which is a paltry sum with which she could not meet out her day-to-day necessities in life and sought for enhancement further.



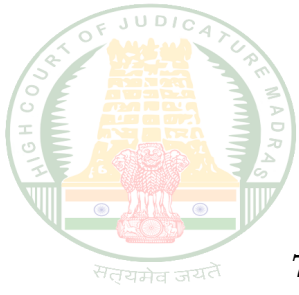
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4. Per contra, the learned counsel appearing for the respondent submitted that the respondent is now retired and earlier he was serving as a Municipality Tap Opener drawing a salary of Rs.24,000/- per month and now having retired, he is not enjoying the benefit of pension as well. Even then, he is promptly paying the enhanced maintenance of Rs.4000/- from 14.06.2023 till date without default and he is willing to do the same during the respondent's lifetime in full.

5. Heard the learned counsels on either sides and carefully perused the materials available on record.

6. A careful perusal of the records would reveal that though the petitioner has retired, he is the owner of 11 acres of agricultural land. Considering the said fact, this Court is inclined to enhance the maintenance amount from Rs.4000/- to Rs.5000/-. Accordingly, the respondent is directed to pay an amount of Rs.5000/- as maintenance from July 2025 every month without default during the entire lifetime of the petitioner.



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7. Accordingly the Criminal Revision Petition is allowed by  
modifying the impugned order. No costs.

**16.06.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml

To

The Judicial Magistrate,  
Srivaigundam.



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**L.VICTORIA GOWRI, J.,**

Sml

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**16.06.2025**