



C.R.P.(MD)No.1911 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[NPD](MD)No.1911 of 2025

A.Gopinath

...Petitioner

Vs.

Sakthibala

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order passed in Cr.M.P.No.3671 of 2018 in D.V.C.No.6 of 2016, dated 14.05.2025, on the file of the Learned Judicial Magistrate No.1, Sivakasi, Virudhunagar.

For Petitioner : Mr.P.Krishnasamy
for Mr.S.Maya Perumal

For Respondent : Mr.A.Mohan



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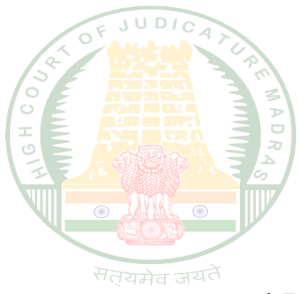
ORDER

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This petition has been filed seeking to set aside the order passed in Cr.M.P.No.3671 of 2018 in D.V.C.No.6 of 2016, dated 14.05.2025, on the file of the Learned Judicial Magistrate No.1, Sivakasi, Virudhunagar.

2.Learned Counsel for the petitioner would submit that the petitioner / husband filed a divorce petition and the respondent / wife filed domestic violence petition in D.V.C.No.6 of 2016. The trial Court by its order dated 19.02.2018 ordered for Rs.10,000/- rupees as monthly maintenance. However, in respect of other claims, the same was rejected. Aggrieved by the same, the present petitioner preferred appeal before the Lower Appellate Court on the file of the Additional District and Sessions Judge, Virudhunagar in CrI.A.(MD)No. 27 of 2022. The lower appellate Court confirmed the order, as against which, no further appeal was preferred. However, for non-payment of the arrears amount, the trial Court issued warrant against the petitioner. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioner would submit that the total arrears amount is Rs.6,73,000/- and the petitioner is ready to pay Rs.50,000/- per month without any default. Accordingly, he prays for appropriate orders.



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4.Learned Counsel for the respondent has no serious objection for the same. He would submit that apart from this Rs.50,000/-, this Court may issue a direction to the petitioner to pay the monthly maintenance of RS.10,000/-, without any default.

5.The facts in the present case are not in dispute. Admittedly, for non-payment of the arrears of maintenance amount, warrant has been issued against the petitioner, which came to be challenged by way of the present Civil Revision Petition. Subsequently, the warrant came to be executed and the petitioner was put behind the bars. Thereafter, this Court by its earlier order dated 11.07.2025, granted an interim order by directing the petitioner to deposit a sum of Rs.1.5 lakhs and on such deposit, the trial Court was directed to release the petitioner. Accordingly, the petitioner deposited the said amount and was released. Hence, nothing survives for further consideration in the present Civil Revision Petition. However, now the petitioner himself has agreed to pay the arrears of maintenance amount in instalments.

6.In view of the above, this Civil Revision Petition is disposed of, directing the petitioner to pay a sum of Rs.50,000/- every month towards arrears



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of maintenance amount in addition to the monthly maintenance of Rs.10,000/- per month. The said amount shall be paid on or before 7th of every month.

However, on failure to deposit the arrears of maintenance amount, the respondent / wife is at liberty to proceed in accordance with law, for realization of the maintenance amount. There shall be no order as to costs.

06.08.2025

Internet:Yes/No

Index:Yes/No

MR



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To

- 1.The Judicial Magistrate No.1,
Sivakasi,
Virudhunagar.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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