



C.R.P.(MD)No.2387 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2387 of 2024

and

C.M.P.(MD).No.13505 of 2024

1.Peter Williams Bastin

2.Solamon Amalraj

3.Isabella

4.Jannet Rosy

...Petitioners

Vs.

Brunica Reena

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records pertaining to the orders passed in CrI.A.No.140 of 2021 on the file of the IV Additional Sessions Court, Madurai, dated 29.02.2024 partly allowing the orders passed in D.V.C.No.7 of 2016 on the file of the learned Judicial Magistrate, (Additional Mahila Court), Madurai, dated 29.09.2021.



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For Petitioners : Ms.M.Benazir Begum

For Respondent : Mr.S.Poornachandran

ORDER

This petition has been filed seeking to set aside the orders passed in Crl.A.No.140 of 2021 on the file of the IV Additional Sessions Court, Madurai, dated 29.02.2024 partly allowing the orders passed in D.V.C.No.7 of 2016 on the file of the learned Judicial Magistrate, (Additional Mahila Court), Madurai, dated 29.09.2021.

2. The respondent herein filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in Domestic Violence Case No.7 of 2016 before the IV Additional Sessions Court, Madurai, against the petitioners. The first petitioner is the husband of the respondent, the second and third petitioners are the father and mother of the first petitioner, and the fourth petitioner is the sister of the first petitioner. The trial Court, by order dated 29.09.2021, directed the first petitioner to pay a sum of Rs.5,000/- per month as maintenance to the respondent and Rs.8,000/- per month to their child, and further directed payment of Rs.2,97,600/- towards transaction (monetary relief) and further directed Rs.3,00,000/- towards compensation. Aggrieved



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over the same, the respondent filed Criminal Appeal No.140 of 2021 before the learned Principal District and Sessions Judge, Madurai. On 29.02.2024, the learned appellate Judge allowed the appeal in part and directed the first petitioner to pay a sum of Rs.5,000/- per month as maintenance to the respondent and Rs.8,000/- per month to their child, and further directed payment of Rs.2,97,600/- towards transaction, and further directed Rs.3,00,000/- towards compensation, and further directed Rs.2,49,651/- as marriage expenses. Challenging the same, the petitioners have filed the present Civil Revision Petition.

3. The learned counsel appearing for the petitioners would submit that with regard to the transaction amount of Rs.2,97,600/-, the petitioners have already given the same via cheque and it was deposited in the respondent's account in November 2021. However, the same was suppressed by the respondent, and both the Courts below ordered payment of Rs.2,97,600/- to the respondent, which is unsustainable. Accordingly, he prays for allowing the petition.

4. Per contra, the learned counsel for the respondent would submit that the respondent wants to live along with the first petitioner and has filed a



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petition for Restitution of Conjugal Rights. However, the first petitioner is not ready to live with the respondent herein. He would further submit that the trial Court has already granted a substantial maintenance amount. It was therefore argued that no further interference is warranted.

5. The facts in the present case are not in dispute. The respondent / wife filed a divorce petition before the trial Court, wherein the trial Court directed the petitioner to pay a sum of Rs.5,000/- per month as maintenance to the respondent and Rs.8,000/- per month to their child. The trial Court further directed payment of Rs.2,97,600/- towards transaction (monetary relief) and Rs.3,00,000/- towards compensation. Thereafter, the respondent preferred Criminal Appeal No.140 of 2021 before the learned Principal District and Sessions Judge, Madurai. The learned Judge confirmed the judgment and decree of the trial Court and additionally awarded a sum of Rs.2,49,651/- towards marriage expenses.

6. This Court has perused the entire records. On perusal of entire records it is seen that the maintenance amount awarded by the trial Court, namely, Rs.5,000/- to the respondent and Rs.8,000/- to the child, is very meagre. This Court does not interfere with the award of Rs.2,49,651/- towards marriage



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expenses or the transaction amount of Rs.2,97,600/- between the petitioner and the respondent. However, this Court is of the view that the compensation amount of Rs.3,00,000/- awarded by the trial Court is highly excessive. Accordingly, this Court reduces the said compensation to Rs.2,50,000/-.

7. In view of the above, the compensation amount awarded by the first appellate Court is modified and the same is reduced to Rs.2,50,000/- from Rs.3,00,000/-, and the other conditions imposed by the first Appellate Court remain unaltered.

8. In view of the above, the Civil Revision Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

19.08.2025

Internet:Yes/No

Index:Yes/No

TSG

To

- 1.The IV Additional Sessions Court, Madurai.
- 2.The Judicial Magistrate (Additional Mahila Court), Madurai.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

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