



CRL RC(MD)No.1363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.1363 of 2023

Mohankumar

... Petitioner / Petitioner

Vs.

1.Tamil Selvi

2.Minor.Vignesh

... Respondents / Petitioners

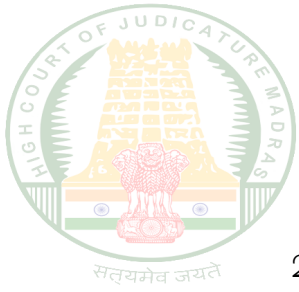
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the records relating to the order passed in M.C.No.3 of 2021 on the file of the learned Judicial Magistrate Court, Tenkasi, dated 14.07.2023.

For Petitioner : Mr.R.Murali

For Respondents : Mr.D.Bala Muruga Pandi

ORDER

Challenging the order of the learned Judicial Magistrate Court, Tenkasi, in M.C.No.3 of 2021 dated 14.07.2023, this Criminal Revision case is filed.

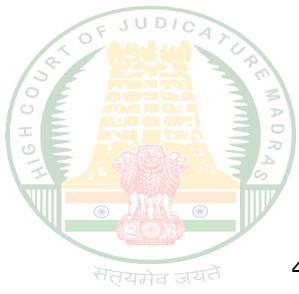


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2. The petitioner is a retired railway employee who took voluntary retirement. The 1st respondent is the second wife of the petitioner, and the second respondent is her son. A monthly maintenance of Rs.8,000/- (Rupees Eight Thousand only) to the 1st respondent and Rs.12,000/- (Rupees Twelve Thousand only) to the 2nd respondent till he attains the age of majority, came to be ordered by the learned Judicial Magistrate, Tenkasi, to be calculated from the date of filing of the maintenance case. A total arrears of Rs.5,20,000/- (Rupees Five Lakhs and Twenty Thousand only) is pending as on date, however, of which Rs.1,76,000/- (Rupees One Lakh and Seventy Six Thousand only) has already been paid by the petitioner herein.

3. The learned counsel for the petitioner submitted that the petitioner is a senior citizen and he has to maintain his first wife through whom he has got three more children and since he has taken VRS, the amount of pension which he is drawing is a paltry amount of Rs.30,000/- (Rupees Thirty Thousand only) with which he is not able to maintain his two wives and their respective families and sought for reducing the maintenance.



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4. The learned counsel for the respondent categorically refuted the claim of the petitioner stating that the maintenance was directed to be paid to the second respondent only till he attains the age of majority and already he had attained the age of majority as early as in the year 2021 and hence the petitioner is not with any obligation to pay maintenance to his son, that is, the second respondent and the amount of maintenance which is ordered to be paid to the first respondent is only a paltry sum of Rs.8,000/- (Rupees Eight Thousand only) with which she cannot even meet out her day-to-day expenditure and pressed for dismissal of the Criminal Revision case.

5. Considering the standard of living of recent times, this Court is fully of the view that Rs.8,000/- (Rupees Eight Thousand only) is a paltry sum with which she cannot lead her life in the present cost of living and with her son. Accordingly, I am not inclined to interfere with the impugned order passed by the learned Trial Court.

6. In view of the same, Criminal Revision case is dismissed. No costs.

07.07.2025

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



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To

1.The Judicial Magistrate Court,
Tenkasi.



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L.VICTORIA GOWRI, J.,

Sml

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