



WEB COPY

CRL MP No. 23850 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 23850 of 2025

in

CRL RC SR No. 96030 of 2025

Raja
S/o Kathiravan,
Residing at 35, Uranithangal Village,
Gingee Taluk,
Villupuram District 604 202.

..Petitioner(s)

Vs

Uma
W/o Mannankatti,
Old No.4/2, New No.69/2,
Anna Nagar,
Thiruvamathur Village and Post,
Villupuram Taluk, Villupuram District.

..Respondent(s)

CRL RC SR No. 96030 of 2025

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Residing at 35, Uranithangal Village,
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W/o Mannankatti,
Old No.4/2, New No.69/2,
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..Respondent(s)

**CRL MP No. 23850 of 2025**

To condone the delay of 1149 days in filing the accompanying Criminal Revision Case against the order dated 06.03.2021 passed in MC.NO.9 of 2018 by the learned in the Court of the Judge, Family Court at Villupuram.

CRL RC SR No. 96030 of 2025

To set aside the impugned order dated 06.03.2021 passed in M.C.No.9 of 2018 on the file of the learned Judge, Family Court, Villupuram, therein, whereby the Petitioner has been directed to pay maintenance to the Respondent.

CRL MP No. 23850 of 2025

For Petitioner(s): Mr.P.Venkatesan

For Respondent(s): Mr.P.Sarveswaran

Order

The petition is filed to condone the delay of 1149 days in filing the Revision against the order passed in M.C.No.9 of 2018, by which, the petitioner has been directed to pay a sum of Rs.4,000 as maintenance to the respondent herein.

2.The reasons stated by the petitioner for the delay, in his affidavit filed in support of the Revision, reads as follows;

“15.I submit that having no other alternative, the Petitioner filed a petition for divorce before the Gingee Subordinate Court, being Case No.HMOP.50/2017. Thereafter, despite summons issued by the Court, the Petitioner’s wife, Ms.Uma, did not appear



before the Court. Consequently, on 22.01.2018, the Gingee Subordinate Court passed an ex parte order in favour of the Petitioner.

16.I submit that being aware of the ex-parte order passed in the divorce proceedings, the Petitioner's wife, Ms.Uma, with the intention of extorting money from the Petitioner, filed a maintenance petition before the Villupuram Family Court on 11.06.2018, bearing Case No.9/2018."

3.The respondent has filed a counter stating that the delay has not been properly explained; that the petitioner and the respondent got married on 04.09.2011; that on 11.08.2018, the respondent filed the instant case before the Family Court; that on 06.03.2021, the family Court passed the maintenance order directing the petitioner to pay a sum of Rs.4,000/- per month; in the year 2021, the respondent had filed CMP.No.19 of 2021 for recovery of arrears of Rs.1,40,000/-; that on 28.02.2022, a non-bailable warrant was issued against the petitioner, since the petitioner had not appeared in the said petition; that thereafter, the respondent filed three petitions in the year 2024 for recovery of arrears; and that on 24.11.2024, non-bailable warrants were issued against the petitioner in all the three cases and the non-bailable warrants are yet to be executed. At this stage, the petitioner has come up with this petition for condonation of delay, without explaining the reasons for the delay.



4.This Court finds from the affidavit filed in support of the petition that the only reason stated by the petitioner is that the petitioner's wife had filed this petition with the intention to extort money from the petitioner and has filed the petition after divorce was granted by the Subordinate Court on 22.01.2018.

5.Admittedly, the petitioner has participated in the proceedings before the Family Court, Villupuram. Non-bailable warrants are pending against the petitioner since 2022 as could be seen from the counter of the respondent. The petitioner has not paid the arrears of maintenance, which is approximately Rs.3,72,000/- as on 10.02.2026. In such circumstances, the cause for the delay in the affidavit, is insufficient and cannot be accepted.

6.Hence, there is no ground made for condonation of delay and the petitioner is dismissed and consequently, the connected Revision is dismissed at the SR stage.

12-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG

To

The Family Court, Villupuram.



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SUNDER MOHAN J.

TSG

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