



Crl.RC.(MD).No.101 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL.RC(MD).No.101 of 2026

and

CRL.M.P.(MD)No.1358 of 2026

Karuppaiah

.... Petitioner

Vs.

1. Muthuselvi

2. Minor.Sathya Vathana

3. The Head Master
Government Secondary School,
Seevanallur, Tenkasi Taluk,
Tenkasi District.

....Respondents

Prayer: Criminal Revision case is filed under Section 438 r/w 442 of BNSS, to call for the records and set aside the order dated 30.10.2025 made in Crl.M.P. No. 15 of 2025 in M.C. No. 40 of 2018 on the file of the learned Family Court, Tirunelveli District and allow this Criminal Revision Petition and thus render justice.

For Petitioner : Mr. G.Gomathisankar



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For R-1 : Mrs.G.Gnana Sumathi

R-2 : Minor

For R-3 : No appearance

ORDER

Seeking to call for the records and set aside the order dated 30.10.2025 made in Crl.M.P. No. 15 of 2025 in M.C. No. 40 of 2018 on the file of the learned Family Court, Tirunelveli District, this Criminal Revision case is filed.

2. The learned counsel for the petitioner submitted that the petitioner had married the first respondent on 27.11.2011. It is an arranged marriage according to the Hindu rites and customs. During the course of the marriage, indifferences crept in between the petitioner and the 1st respondent, as a result of which they were separated, and the respondent and her minor girl child, who is the 2nd respondent herein, are living separately in a rented house. In the meanwhile, the petitioner and the 1st respondent have arrived at a compromise where a one-time permanent alimony of Rs.6,00,000/- was paid towards respondents No.1 and 2. Having received the same, respondent No.1 agreed to come forward to file a divorce petition on



mutual concern. However, having not done so, she had filed a maintenance case in M.C.No.40 of 2018 on the file of the learned Family Court, Tirunelveli, seeking maintenance. The learned Family Court was pleased to pass an order directing the petitioner to pay a monthly maintenance of Rs.5000/- to the 1st respondent and Rs. 5000/- to the 2nd respondent. Challenging the same, this Criminal Revision case is filed.

3. The learned counsel for the 1st and 2nd respondents submitted that it is true that indifferences had crept in between the petitioner and the 1st respondent. The petitioner is serving as a Government Teacher in a Higher Secondary School. On 05.02.2021, M.C.No. 40 of 2018 came to be allowed by the learned Family Court, Tirunelveli, directing the petitioner to pay a monthly maintenance of Rs.5000/- to the 1st respondent and Rs.5000/- to the 2nd respondent. Under such circumstances, the petitioner had come forward a compromise where he offered the one-time permanent alimony of Rs. 15,00,000/- and he had also paid an amount of Rs.6,00,000/- which was received by the 1st respondent on behalf of herself and the 2nd respondent. However, he failed to pay the remaining amount of Rs.



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9,00,000/- as agreed. Hence, the petitioner was constrained to file Cr.M.P.No.15 of 2025 for salary attachment, and the same was allowed on 30.10.2025 for an amount of Rs.70,500/-. Challenging the same, the petitioner had come before this Court and this Court was pleased to pass an order of stay, and the arrears of maintenance as on today stand to a tune of Rs.1,90,500/-, which is also not paid.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. The learned counsel for the respondent Nos.1 and 2 placed before me the pay slip of the petitioner for the month of March, 2025, where it is seen that the gross amount of salary of the petitioner is Rs.96,342/-. After deduction of Rs.10,522/-, his net pay credited for the month of March 2025 stands at Rs.85,820/-.

6. However, the learned counsel for the petitioner categorically contended that after all the deductions, including certain loan amounts, he is receiving only Rs.19,000/- and that he cannot pay as



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much as maintenance to the tune of Rs.10,000/- to the respondents 1 and 2 every month.

7. This Court is of the considered view that being the father of a girl child and the first respondent being a housewife, the petitioner cannot shun his responsibilities towards his separated family. It is also seen that the petition for divorce filed by the petitioner is pending.

8. Hence, I don't find any infirmity in the order passed by the learned trial Court that an amount of Rs.5000/- towards the 1st respondent and Rs.5000/- towards the 2nd respondent is an amount with which they cannot sustain themselves or they cannot meet even their sustainable expenses on a day-to-day basis. In view of the same, the petitioner is directed to pay an amount of Rs.7500/- to the first respondent and Rs.7500/- to the second respondent. Accordingly, the maintenance order passed by the learned Trial Court is enhanced from Rs.5000/- to Rs.7500/-.



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9. Accordingly, this Criminal Revision case is dismissed.
Consequently, the connected miscellaneous petition is closed.

03.03.2026

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

To

1. The Family Court,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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