WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-10-2026

CORAM

THE HON'BLE MRS.JUSTICE M.D.SUMATHI

CRL RC(MD) No. 1285 of 2022

CNR:{HCMD011261102022}

Case QR

..Petitioner

Vs

..Respondents

PRAYER: This Petition filed under Section 397 r/w 401 of Cr.P.C, to call for the records and to set aside the order dated 22.09.2022 in Cr.MP.No.164 of 2019 in M.C.No.84 of 2014 passed by the Family Court, Madurai.

For Petitioner : Mr.D.V.Omprakash

For Respondent(s) : Mr.R.Raja
for Mr.T.R. Jeyapalam

ORDER

This Criminal Revision Petition has been filed against the order dated 22.09.2022 passed in Crl.M.P.No.164 of 2019 in M.C.No.84 of 2014 by the learned Judge, Family Court, Madurai, directing the petitioner to pay a sum of Rs.6,14,887/- towards the maintenance-related

https://www.mhc.tn.gov.in/judis

WEB COPY

expenses of the second respondent, his minor daughter.

2. The respondent herein had originally filed M.C.No.84 of 2014 under Section 125 Cr.P.C., seeking maintenance for herself and the minor daughter. By order dated 06.07.2015, the Family Court passed an ex parte order directing the revision petitioner to pay a sum of Rs.5,000/- per month each to the wife and the minor daughter. Aggrieved by the said order, the revision petitioner preferred Crl.R.C.(MD) No.488 of 2015 before this Court. The same was allowed, by order dated 13.07.2016, and remitted M.C.No.84 of 2014 to the Family Court for fresh disposal. Pending disposal, the revision petitioner was directed to pay a sum of Rs.5,000/- + Rs.5,000/- per month, adding together Rs.10,000/- per month, from 01.08.2016. The order also provided for payment of arrears up to 30.07.2016 in two installments. A sum of Rs.2,35,000/- had been deposited by the revision petitioner and the same was withdrawn by the respondents, and the revision petitioner continued to pay the monthly sum of Rs.10,000/- up to February 2017.

3. Upon fresh consideration, the learned Judge, Family Court, by order dated 20.01.2017, directed the revision petitioner to pay maintenance of Rs.20,000/- per month to the minor daughter from

https://www.mhc.tn.gov.in/judis

WEB COPY

January 2016. In addition to the monthly maintenance, the revision petitioner was directed to meet the specified educational expenses of the minor daughter, including tuition fees, transportation charges, examination fees, books, uniforms and school-related extracurricular expenses, as well as unusual medical expenses. The claim for maintenance made by the wife was dismissed.

4.Aggrieved by the said order, the wife and the revision petitioner preferred Crl.R.C.(MD) Nos.177 of 2017 and 735 of 2017 before this Court. During the pendency of those proceedings, a compromise was recorded by this Court on 02.11.2018. Under the terms recorded therein, the revision petitioner undertook to discharge the mortgage over the flat and settle the property jointly with the wife in favour of the minor daughter, with the wife acting as guardian and without alienation of the property. The revision petitioner was also required to continue paying maintenance and meeting the expenses of the minor daughter until the proposed settlement was completed. The commencement date for payment of maintenance was modified from January 2016 to 14.08.2014, being the date of filing of M.C.No.84 of 2014. However, the contemplated property settlement was not completed, as the revision petitioner has not taken any steps to execute the said compromise order.

https://www.mhc.tn.gov.in/judis

WEB COPY

5. In view of the non-completion of the compromise order and the expenses incurred for the minor daughter, the mother filed Cr.M.P.No.164 of 2019 seeking recovery of the amounts claimed to be due. The claim included Rs.11,60,000/- towards monthly maintenance calculated at Rs.20,000/- per month for 58 months, from August 2014 to May 2019, and a further sum of Rs.8,02,743/- towards educational, transportation, medical and other expenses. The total claim was quantified at Rs.19,62,743/-, covering school fees, books, uniforms, transport, Hindi tuition, drawing, dance, day-care, project and examination expenses, apart from medical expenses. As the revision petitioner already paid Rs.2,35,000/- + Rs.2,50,000/- +Rs.1,17,000/- adding together to Rs.6,02,000/-,after deducting this from the above said amount ,the respondent claimed Rs.13,60,743/- from the revision petitioner.

6. The learned Judge, Family Court, while considering Cr.M.P.No.164 of 2019, examined the payments admitted by the mother and the amounts claimed towards monthly maintenance. The mother had acknowledged receipt of Rs.6,02,000/- in the petition. In addition, the payments of Rs.45,000/- made on 16.11.2017, Rs.20,000/- each made on

https://www.mhc.tn.gov.in/judis

WEB COPY

01.12.2017 and 01.11.2018, and the transfer of Rs.5,00,000/- to the Canara Bank account on 12.08.2021 were also taken into account. After accounting for the total sum of Rs.11,87,000/-, the Family Court concluded that no further monthly maintenance arrears remained payable under that head. The learned Judge, Family Court separately examined the claim towards educational and other expenses. With regard to the school fees, the claim was for Rs.2,04,647/-. The Family Court deducted Rs.28,666/-, representing two payments of Rs.14,333/- each, after considering the payments reflected in the school account and the fact that both parents had made payments for certain terms. The balance eligible school-fee amount was considered along with the other expenses claimed in respect of the minor daughter.

7. The learned Judge, Family Court considered the claims relating to books, uniforms, transportation, project work, examination and other eligible school expenses, together with the medical expenses, in the light of the earlier maintenance order. The claims towards Hindi tuition, drawing, dance and day-care expenses were excluded on the ground that they did not fall within the categories covered by the earlier order. The Family Court, however, accepted the eligible transportation expenses claimed at Rs.1,22,562/- and medical expenses claimed at Rs.2,64,567/-,

https://www.mhc.tn.gov.in/judis

WEB COPY

along with the other admissible educational expenses, and ultimately quantified the amount payable at Rs.6,14,887/-.

8. The learned Judge, Family Court directed the revision petitioner to pay the quantified sum of Rs.6,14,887/- in two equal instalments, on or before 22.11.2022 and 22.12.2022. The payment was directed to be made to the mother's bank account through RTGS, with the corresponding UTR details to be furnished. The order thus reflected a separate assessment of the monthly maintenance payments and the additional expenses claimed for the minor daughter.

9.Aggrieved by the said order in Crl.M.P.No.164 of 2019 in M.C.No.84 of 2014,the present revision petition was filed. The principal grounds raised in this revision are that the transportation and medical bills ought not to have been accepted; that the mother did not provide timely intimation to enable insurance reimbursement; that school-fee payments had been overlooked or could be adjusted by the school; and that the Family Court failed to consider the petitioner’s pleadings. The petitioner also asserts that the claim was vexatious and that the mother had suppressed material facts. And the trial Court erroneously accepted the bills given by the respondent regarding transportation fee and medical

https://www.mhc.tn.gov.in/judis

WEB COPY

expenses, and also claimed that the said bills were inadmissible according to law.

10. Heard both sides, and perused the records placed before this Court, the impugned order and the grounds of revision have also been perused.

11. Interference is warranted where the order discloses illegality, material irregularity or a conclusion unsupported by the record. No such infirmity has been established here. The direction is confined to expenses falling within the prior order, and the amount has been arrived at after giving credit for payments and excluding items not found payable.

12. The Family Court did not mechanically accept the entire amount claimed by the mother. It considered the rival accounts, gave credit for payments established or admitted, excluded the expenses it found to be outside the earlier order, and deducted the school-fee amount already taken into account. The impugned order therefore reflects an item-wise assessment rather than an unexamined acceptance of the claim.

13. In the present revision, the petitioner has not demonstrated a

https://www.mhc.tn.gov.in/judis

WEB COPY

specific material error in the calculation sufficient to displace the Family Court's assessment. A general denial of the bills, or a repeated assertion that insurance could have been claimed, does not by itself establish that the child's actual and eligible expenses were not incurred. The contention regarding insurance is also not a reason, on its own, to transfer the financial consequence of the child's treatment to the mother, particularly when the Family Court has assessed the expenses against the scope of its earlier order.

14. The argument concerning school-fee payments was likewise considered. The Family Court noted the available material relating to payments and deducted Rs.28,666/-, while observing that the school had credited only two of the payments in its records and that the petitioner could pursue recovery from the school in respect of any duplicate payment. No sufficient ground has been shown for this Court to substitute a different factual assessment in the exercise of revisional jurisdiction.

15. The revision petitioner has contended that the respondent's main intention is to extract money from him. Such an allegation, however, cannot be accepted as a ground to deny the legitimate expenses incurred for the welfare of the minor child. The maintenance proceedings

https://www.mhc.tn.gov.in/judis

WEB COPY

cannot be viewed merely as a monetary dispute between the estranged parents. The amount claimed by the respondent is towards the educational, medical and other essential expenses of the minor daughter, and the same has to be considered from the perspective of the child's welfare.

16. It is also relevant to note that the respondent mother is working as a Professor in Bangalore University. However, the fact that the mother is employed and earning an income cannot be a reason to absolve the father of his obligation to maintain his minor daughter. The employment or financial independence of the mother does not extinguish the father's independent legal and moral responsibility towards the child. The responsibility of providing for the child cannot be shifted entirely upon the mother merely because she is financially capable of maintaining herself.

17. No person would willingly choose to repeatedly approach the Court and seek financial assistance from another, particularly when such proceedings involve prolonged litigation and personal allegations. The respondent mother has approached this Court not for her personal benefit or enrichment, but to seek the financial support required for the welfare

https://www.mhc.tn.gov.in/judis

WEB COPY

and upbringing of her minor daughter. The expenses claimed are towards the child's education, medical needs and other necessities. Therefore, the claim made by the mother ought not to be viewed as an attempt to extract money from the revision petitioner, but as an endeavour to secure the legitimate rights and welfare of the child. The financial responsibility towards the child continues irrespective of the disputes between the husband and wife. The welfare of the minor child must remain paramount, and the Court cannot permit the matrimonial discord or the allegations exchanged between the parents to overshadow the child's legitimate entitlement to maintenance and necessary expenses.

18. There is a human dimension to the present case that deserves consideration. When a marriage breaks down, it is often the mother who remains responsible for the child's everyday needs. She may have to assume several roles simultaneously that is being a caregiver, an organiser, a provider of emotional support and the person who ensures that the child attends school, receives medical treatment and continues to live with dignity.The responsibility of bringing up a child is not confined to paying a fixed sum of money at periodic intervals. It involves ensuring that the child's genuine needs are met in a timely and meaningful manner.

https://www.mhc.tn.gov.in/judis

WEB COPY

19. The principle laid down in **Hitesh Makhija v. Ritu Makhija**, **2025 SCC OnLine Del 9664** can be applied in the present Criminal Revision Case. The judgment emphasises that maintenance is not charity or a favour, that the responsibility for a child's upbringing must be assessed in light of the actual burden borne by the caregiving parent, and that a parent's obligation towards the child does not diminish merely because the marriage has broken down.

20. In the present case, the dispute concerns reimbursement of educational, transportation, book, uniform, project, examination and medical expenses already assessed by the Family Court, rather than merely the quantum of monthly maintenance. Accordingly, the decision should be applied to the principle of parental responsibility and the welfare of the child.

21. The decision in Hitesh Makhija v. Ritu Makhija reinforces the fundamental principle that the responsibility of maintaining a child cannot be viewed merely as a financial transaction between estranged parents. The obligation of parenthood survives the breakdown of marriage, and the welfare of the child must not be subordinated to the

https://www.mhc.tn.gov.in/judis

WEB COPY

bitterness, resentment or financial disputes that may arise between the parents. The law must recognise not only the child's right to financial support but also the practical and emotional burden borne by the parent who continues to provide day-to-day care.

22. A marriage may come to an end, but the relationship between a father and his child does not. The husband and wife may no longer wish to continue their life together, and their differences may be such that reconciliation is no longer possible. The child, however, has neither participated in nor contributed to those differences. The child has not chosen the separation, has not caused the conflict and has no means of protecting itself from the consequences of the decisions taken by the adults. Yet, in many instances, the child is the one who suffers most silently when a marriage breaks down. The child may lose the experience of growing up with both parents under the same roof, may struggle to understand the changed family circumstances and may be deprived of the everyday affection, reassurance and companionship that the presence of both parents could otherwise provide.

23. The breakdown of a marriage, therefore, does not only affect the husband and wife. It can deeply affect the emotional security, sense of

https://www.mhc.tn.gov.in/judis

WEB COPY

belonging and psychological well-being of the child. When the child is already required to adjust to the separation of its parents, the continuation of bitter disputes over maintenance, educational expenses and medical bills can add another layer of anxiety and insecurity. Prolonged litigation, repeated accusations and attempts to discredit the parent who seeks financial support may create an atmosphere in which the child feels that its very needs have become a source of conflict between the parents. This is an unfortunate consequence that responsible parenthood must seek to prevent.

24. A child should never be made to feel that the cost of its education is an unreasonable burden, that its medical treatment is an inconvenience or that its ordinary needs are the cause of hostility between its parents. The child must not grow up believing that asking for school fees, books, uniforms, transportation or medical care is somehow responsible for the continuing conflict between the adults. Such expenses are not luxuries merely because the parents no longer live together. They are part of the ordinary and necessary responsibilities associated with raising a child.

25. It is in this context that the conduct of a father who resists

https://www.mhc.tn.gov.in/judis

WEB COPY

legitimate, established expenses of his own child must be examined with due seriousness. Every objection raised in judicial proceedings cannot be characterized as unreasonable, and a father is certainly entitled to dispute an amount that is not legally payable. However, a genuine right to contest an account must not be converted into an attitude of resistance towards the very responsibility that the account represents. Where the expenses have been incurred for the child's welfare, fall within the scope of an existing judicial order and have been assessed by the competent Court after considering the available evidence, an attempt to avoid payment without demonstrating a sustainable legal ground cannot be encouraged.

26. The father's responsibility is not exhausted by the fact that he has paid a fixed sum towards monthly maintenance. Where the Court has additionally directed him to meet specified educational and medical expenses, those obligations must also be honored. A child's needs do not invariably fit within a predetermined monthly amount. School fees arise according to the institution's schedule; books and uniforms have to be purchased when required; transportation expenses recur; and medical treatment must be obtained whenever circumstances demand it. A parent cannot reasonably expect the other parent to meet these expenses indefinitely and then insist that every additional amount be treated as a

https://www.mhc.tn.gov.in/judis

WEB COPY

personal liability of the caregiving parent.

27. The question is not whether the father is being asked to provide money to the mother. The question is whether he is being called upon to discharge his responsibility towards his own child. The distinction is fundamental. The payment may pass through the hands of the mother, but its purpose is the welfare of the child. To treat every demand for reimbursement as a personal financial claim against the father is to lose sight of the person whose interests are at the centre of the proceedings.

28. Equally, the contribution made by the mother cannot be measured exclusively in monetary terms. A mother who continues to care for the child after the breakdown of the marriage may be required to organize the child's daily routine, ensure school attendance, arrange medical consultations, supervise education, provide emotional reassurance and make innumerable decisions concerning the child's welfare. These responsibilities are frequently discharged every day, without interruption and without any separate monetary recognition. They involve time, physical effort, emotional investment and the willingness to place the child's needs before one's own convenience.

https://www.mhc.tn.gov.in/judis

WEB COPY

29. The law and society must recognize this contribution. The fact that a mother is employed, earns a substantial income or is financially capable of meeting the child's immediate needs does not render the father's responsibility optional. Her earning capacity may be relevant where the applicable law requires an assessment of the parties' financial circumstances, but it does not, by itself, extinguish the father's independent parental obligation. A mother's financial independence cannot be converted into a justification for the father to withdraw from his responsibilities or to leave her to bear the entire burden of raising the child.

30. Indeed, a mother who earns more than the father may nevertheless continue to undertake the greater share of the child's daily care. Her income does not purchase the father's exemption from parenthood, just as her capacity to arrange money does not make his contribution unnecessary. Financial capacity and caregiving responsibility are distinct considerations. Where a parent has undertaken the continuing and often invisible work of raising the child, that contribution deserves recognition even though it cannot readily be translated into a monetary figure.

https://www.mhc.tn.gov.in/judis

WEB COPY

31. The mother must not be placed in the unfair position of having to demonstrate financial helplessness before the father is expected to fulfil his obligations. Nor should a woman be criticized merely because she is capable of earning for herself and simultaneously seeks the father's contribution towards the legitimate needs of their child. A woman does not forfeit her child's entitlement to support because she has worked hard to become financially independent. Her strength and self-sufficiency should not be used against her.

32. This Court considers it necessary to express its disapproval of the tendency to stigmatize women who seek financial support by describing them as “gold diggers” or by attributing ulterior financial motives to them without adequate basis. Such expressions are particularly objectionable when the demand concerns the education, healthcare and upbringing of a minor child. They shift attention away from the actual question of legal responsibility and attempt to place the character of the woman, rather than the merits of the claim, on trial.

33. A woman who approaches a Court seeking reimbursement of expenses incurred for her child should not have to defend her dignity in

https://www.mhc.tn.gov.in/judis

WEB COPY

addition to establishing the amount legally due. If the bills are disputed, their authenticity and legal admissibility may be examined. If a payment has already been made, the appropriate credit must be given. If an expense falls outside the governing order, it may be excluded. These are legitimate questions of adjudication. But allegations concerning the woman's character or supposed greed cannot take the place of this objective examination.

34. Disparaging or humiliating a woman for seeking legitimate support must not be normalized or encouraged. The right to contest a claim does not confer a right to demean the person who brings it. Judicial proceedings must remain a forum for the determination of rights and liabilities, not a means of inflicting personal indignity upon a parent who seeks to secure the welfare of a child. This Court is equally conscious that such criticism, when repeatedly voiced in the course of parental disputes, may deepen the hostility between the adults and indirectly increase the emotional burden borne by the child.

35. The Court was also of a considered belief that a child may not always openly express the distress caused by prolonged disputes between its parents. Children may be aware of more than adults realize. They may

https://www.mhc.tn.gov.in/judis

WEB COPY

sense resentment, overhear accusations, perceive the tension surrounding the payment of their school fees or medical expenses, and begin to feel guilty for the financial demands associated with their upbringing. A child who is already adjusting to the separation of its parents should not additionally be burdened with the apprehension that its legitimate needs are causing further conflict.

36. The law cannot eliminate every emotional consequence of a broken marriage. It can, however, insist that parents do not aggravate those consequences by refusing to recognize their continuing responsibilities. The financial disputes of the parents must not be permitted to overshadow the child's need for stability, security and dignity. The parents may have ceased to function as husband and wife, but they remain the two individuals whose conduct and decisions can profoundly influence the child's future.

37. A father must understand that his obligation towards the child is not merely to transfer money when compelled by an order of Court. It is to recognize that the child continues to depend upon him, financially and emotionally, notwithstanding the separation. Payment of legitimate expenses should not become a recurring source of confrontation.

https://www.mhc.tn.gov.in/judis

WEB COPY

Compliance with an existing order should not require the mother to undergo prolonged litigation every time an educational or medical expense has to be met. Where a genuine dispute exists, it must be resolved through lawful means; but where the obligation has already been determined and the amount has been duly assessed, unnecessary resistance serves neither the father's interests nor the child's welfare.

38. The principle of parental responsibility must be understood in its proper spirit. It is not an instrument for punishing the father for the failure of the marriage, nor is it a means of conferring an unjustified financial advantage upon the mother. It exists to ensure that the child receives the support to which it is legally entitled. The father is not being asked to make a contribution out of sympathy for the mother. He is being called upon to fulfil his responsibility towards the child whom he has brought into this world.

39. At the same time, this Court does not suggest that fathers alone bear every responsibility or that every claim made by a mother must be accepted without scrutiny. Both parents must act responsibly, and every claim must be determined on the basis of the evidence and the applicable law. But fairness cannot be reduced to a mechanical comparison of

https://www.mhc.tn.gov.in/judis

WEB COPY

income or to the assumption that the parent who earns more should automatically bear the entire burden. Nor can the everyday contribution of the caregiving parent be ignored merely because it does not appear in a bank statement or a receipt.

40. In the present case, the Family Court has already undertaken the exercise of separating the expenses that were legally payable from those that were not. It has given credit for payments established or admitted, deducted the school-fee amount already accounted for and excluded items that it found to be outside the earlier order. The sum of Rs.6,14,887/- has thus been determined after consideration of the rival claims. The petitioner has not demonstrated a material error warranting interference with that assessment.

41. It is not a punishment for the petitioner's failure as a husband, nor is it an endorsement of every allegation made by the mother. It is the amount found payable towards the legitimate expenses of his minor daughter under an existing judicial order. The child must not be deprived of the benefit of that determination merely because the parents continue to disagree.

https://www.mhc.tn.gov.in/judis

WEB COPY

42. The message that must emerge from this case is clear. The end of a marriage cannot be treated as the end of a father's responsibility. A mother's ability to earn cannot be used as a reason to diminish the father's obligation. A woman's dignity cannot be attacked merely because she seeks the financial contribution legally due for her child. And a child who is already affected by the separation of its parents must not be made to endure further distress through avoidable and prolonged disputes over its basic needs.

43. A parent who genuinely disputes an expense is entitled to seek its lawful adjudication. But once the Court has examined the materials, accounted for the payments and determined the amount payable, the obligation must be respected. Parenthood requires more than the assertion of rights against the other parent; it requires the willingness to discharge responsibilities towards the child, even when the relationship between the adults has irretrievably broken down.

44. The Court hopes that parents involved in similar disputes will recognize that the ultimate purpose of maintenance proceedings is not to determine which parent has prevailed over the other, but to ensure that

https://www.mhc.tn.gov.in/judis

WEB COPY

the child does not suffer for the failure of the marriage. The child's education, health, emotional security and dignity must remain paramount. Neither the law nor society should encourage an attitude in which the parent who seeks legitimate support is humiliated, the parent who provides daily care is taken for granted, and the child is left to bear the consequences of a conflict it never chose.

45. When the financial contribution due from the other parent is delayed or disputed, the immediate burden does not disappear. The mother may have to arrange the necessary funds from her own resources borrow money or make other arrangements to meet expenses that arise without warning. A medical bill cannot always be postponed until a legal dispute is resolved. A school may insist upon payment of fees within a prescribed period. Books, uniforms, transportation and other educational necessities must be provided when required. It is in these circumstances that a parent may be compelled to approach the court repeatedly to secure compliance with an existing order.Such proceedings should not automatically be viewed as an attempt to harass the other parent. Their nature must be determined by examining the claim, the supporting materials and the applicable law. The law's insistence that parents discharge their financial obligations towards their children is not intended

https://www.mhc.tn.gov.in/judis

WEB COPY

to punish either parent. It is intended to ensure that the child does not become the ultimate victim of the adults' separation.

46. This Court considers it necessary to make a strong observation on the unfortunate tendency to describe women who seek maintenance or financial support as “gold diggers”. Such expressions are not merely unkind words uttered in the heat of a dispute. When used to demean a mother who approaches the court for the legitimate needs of her child, they reflect a deeply unfair attitude towards the responsibilities undertaken by women after the breakdown of a marriage. A woman who asks for money towards her child's education, medical treatment, food and other necessities is not, merely by making such a demand, seeking to enrich herself at the expense of the father. She may simply be asking him to discharge the responsibility that the law and parenthood place upon him.

47. Men who resort to such language must be firmly reminded that a woman's demand for financial support cannot automatically be equated with greed. Before labelling a mother a “profiteer” one must pause to consider who takes the child to school, who attends to the child when illness strikes, who stays awake when the child is distressed, who

https://www.mhc.tn.gov.in/judis

WEB COPY

rearranges life around the child's needs and who finds the means to meet expenses when the other parent does not contribute in time. These responsibilities are often discharged quietly, without recognition and without any assurance that the effort will ever be acknowledged. The demand for money, viewed in isolation, may be convenient to criticise; the circumstances that gave rise to that demand cannot be ignored.

48. Equally, however, a genuine claim for a child's welfare must not be stigmatised merely because it involves money. A serious and unequivocal message must therefore go out that women cannot be demeaned or their character casually questioned merely because they seek financial support for their children. Men must understand that financial responsibility towards a child is not charity, generosity or a favour for which the mother must remain grateful. It is a parental obligation. A mother should not have to choose between preserving her dignity and pursuing the resources necessary for her child's welfare. It is equally painful to realise that, when a mother is compelled to seek the assistance of her own aged parents or from other reliable persons, for the sustenance and welfare of her child, she is not merely placing a financial burden upon them but is also made to compromise, to some extent, their self-respect and dignity, and to carry the silent guilt of burdening . Yet,

https://www.mhc.tn.gov.in/judis

WEB COPY

no mother would hesitate to endure such humiliation or to bow her head before her own parents or any other person , when the welfare of her child is at stake. Her concern is not for her own comfort or pride, but solely for the well-being of the child. It is unfortunate that the father, who bears an equal and undeniable responsibility towards the child, does not appear to be equally concerned, even to the extent of sparing the child and its mother from such hardship. A mother cannot reasonably be expected to abandon her pursuit of maintenance merely because the process involves humiliation, hardship or prejudice to the dignity of her family. Her perseverance in seeking maintenance must be understood not as an act of personal gain, but as an expression of her unwavering commitment to the welfare of her child.

49. The issue must ultimately come to an end not by silencing women who seek legitimate support, but by fostering a sense of responsibility among parents and ensuring that the child's needs are met without unnecessary conflict. The end of a marriage should not become the beginning of a lifelong struggle for a mother to secure what is due to her child. A society that expects mothers to make sacrifices for their children must also insist that fathers honour their responsibilities. Neither the law nor the conscience of society should permit the burden of

https://www.mhc.tn.gov.in/judis

WEB COPY

parenthood to be placed almost entirely upon one parent while the other treats a demand for contribution as an affront to his dignity.

50. These observations are not intended to condemn men as a class or to presume that every maintenance claim is justified. They are directed against the attitude that equates a woman's demand for legitimate financial support with greed and against any attempt to use degrading labels to discourage her from asserting her child's rights. The law requires fairness from both parents, but fairness also requires that the parent who has undertaken the daily care of the child should not be humiliated for seeking the other parent's contribution.

51. In the present case, the Family Court has assessed the expenses claimed, accounted for the payments established and excluded the items it found to be outside the scope of the earlier order. The petitioner has not demonstrated any sufficient legal ground warranting interference with that assessment. The amount directed to be paid is not a penalty imposed upon the petitioner for the failure of his marriage; it represents the expenses found payable under the earlier order towards the welfare of his minor daughter.

https://www.mhc.tn.gov.in/judis

WEB COPY

52. Parenthood must be measured not by the accusations exchanged after a marriage fails, but by the responsibility each parent continues to discharge towards the child. A child should never grow up believing that seeking the necessities of life is a burden, that a mother's efforts to secure those necessities are shameful, or that the financial obligations of a parent can be dismissed by questioning the character of the other parent. The law must protect the child's welfare while reminding both parents that their personal differences cannot extinguish their obligations.

53. Let this be a reminder that, when a woman approaches a court seeking legitimate support for her child, she must be heard on the merits of her claim and treated with dignity. Responsibility, evidence and the welfare of the child must prevail over humiliation, accusation and hostility.

54. Applying these principles to the present case, this Court finds that the Family Court has assessed the expenses in accordance with the earlier order and that no sufficient ground has been made out for interference in revisional jurisdiction. The obligation confirmed herein is towards the welfare of the minor daughter, and the petitioner's personal

https://www.mhc.tn.gov.in/judis

WEB COPY

differences with the mother cannot constitute a legal justification for avoiding that obligation.

55. Having heard the counsel on record and considered the objections as well as the reasons recorded by the Family Court, this Court finds no sufficient ground to interfere with the order of the family Court and the quantified amount of Rs.6,14,887/- fixed by the court below.

56. In the result, the Criminal Revision Petition is dismissed. The order dated 22.09.2022 passed by the learned Judge, Family Court, Madurai, in Crl.M.P.No.164 of 2019 in M.C.No.84 of 2014 is confirmed. There shall be no order as to costs.

28.10.2026

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

PJL

To
The Judge, Family Court, Madurai.

https://www.mhc.tn.gov.in/judis

WEB COPY

M.D.SUMATHI, J.

PJL

CRL RC(MD) No. 1285 of 2022

28.10.2026

https://www.mhc.tn.gov.in/judis