

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.1527 of 2015 &
M.P.No.1 of 2015

B.Sivakumar

... Petitioner

v.

M.Subhadalakshmi @ Bommi

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 17.11.2014 passed in I.A.No.52 of 2013 in H.M.O.P.No.28 of 2012 on the file of the Subordinate Judge, Gudiyattam, Vellore District.

For Petitioner : Mr.S.William

O R D E R

The petitioner, who is the husband of the respondent, has filed the above Civil Revision Petition, challenging the fair and decreetal final order passed in I.A.No.52 of 2013 in H.M.O.P.No.28 of 2012 on the file of the Subordinate Judge, Gudiyattam, Vellore District, awarding a sum of Rs.2,000/- as interim maintenance and a sum of Rs.5,000/- as litigation expenses.

2. The petitioner filed H.M.O.P.No.28 of 2012 for divorce. In the said Original Petition, the respondent-wife filed an application in I.A.No.52 of 2015 under section 24 of the Hindu Marriage Act claiming a sum of Rs.20,000/- as interim maintenance and a sum of Rs.10,000/- towards litigation expenses.

3. According to the respondent-wife, the petitioner is running a Provisional Stores near Nethaji Chowk, Gudiyatham and also doing repairing motor pump set and winding motor coils and thereby earning Rs.25,000/- per month. Apart from that, according to the respondent-wife, the petitioner is also having more than 6 acres of land and earning more than Rs.7,00,000/- per annum.

4. In the counter filed by the petitioner-husband, he has denied that he is owning 6 acres of land and he is earning Rs.7,00,000/- per annum. However, he has stated that he is earning only Rs.3,000/- per month working as a Helper under an Electrician.

5. The petitioner having married the respondent, is bound to maintain her. The award of Rs.2,000/- by the trial court per month towards interim maintenance is very meagre. Taking into consideration, the present days cost of living, the award of Rs.2,000/- itself is very low, I find no reason to interfere with the order passed by the trial court. The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

01.06.2015

Index : No
Internet : Yes

Rj

To

The Subordinate Judge,
Gudiyattam,
Vellore District.

M. DURAISWAMY,J.,

Rj

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