

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2015

CORAM:

THE HON'BLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P.No.4036 of 2015

and

M.P.No.1 of 2015

C.ThayumanavarPetitioner/ Respondent

Vs.

MuthuchelviRespondent/Petitioner

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 16.07.2015 made in I.A.No.155/2012 in HMOP.No.23/2012 on the file of the Subordinate Court, Chidambaram.

For Petitioner : S.Ayyadurai

O R D E R

The revision petitioner who is the husband has come up with the present Civil Revision Petition against the order dated 16.07.2015 made in I.A.No.155/2012 in HMOP.No.23/2012 on the file of the Subordinate Court, Chidambaram.

2. The respondent/wife has filed an application for interim maintenance in I.A.No.155/2012 seeking maintenance of a sum of Rs.7500/- per month for herself and Rs.5000/- per month for the minor child. She has also sought Rs.10,000/- towards litigation expenses.

3. The Trial Court after considering the oral and documentary evidences had granted a sum of Rs.2500/- per month to the respondent/wife and Rs.2500/- per month to the minor girl child. Further, the Trial Court had granted a sum of Rs.5000/- as one time measure towards the litigation expenses. Against the aforesaid order, the present Civil Revision Petition has been

preferred.

4. It is not the case of the revision petitioner that the respondent is employed or has sufficient means for livelihood and therefore, the petitioner need not pay any maintenance to the respondent/wife. Furthermore, the Trial Court taking into account of the evidences, both oral and documentary has come to the conclusion that though the respondent/wife is not entitled to maintenance as claimed by her, she is entitled to a maintenance of Rs.2500/- per month to her and Rs.2500/- per month to the minor girl child.

5. In these circumstances, when the Trial Court has given cogent reasons for awarding interim maintenance, after taking into account of the evidences, particularly the salary particulars of the revision petitioner, I am not inclined to interfere with the order of the Trial Court dated 16.07.2015 made in I.A.No.155/2012 in HMOP.No.23/2012.

6. Accordingly, the Civil Revision Petition fails and the same is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

The Subordinate Judge,
Chidambaram.

+1cc to Mr.S.Ayyathurai, Advocate sr.56260 [6/11/2015]

MP (CO)
PSI (30.10.2015)

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