

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2016

Coram

The Hon'ble Mr. Justice **A.SELVAM**
and
The Hon'ble Mr. Justice **P.KALAIYARASAN**

C.M.A.No.1848 of 2016
and
C.M.P.No.13558 of 2016

Krishnaraj .. Appellant
Vs

Sathyapriya .. Respondent

Civil Miscellaneous Appeal preferred under section 19 of Family Courts Act against the fair and final order dated 30.3.2016, passed in I.A.No.591 of 2015 in H.M.O.P.No.660 of 2014 on the file of the Family Court, Erode District.

For Appellant .. Mr.I.C.Vasudevan

For Respondent .. Mr.N.Manokaran

JUDGMENT

(Judgment of the Court was delivered by **A.SELVAM, J.**)

This Civil Miscellaneous Appeal has been directed against the order dated 30.3.2016, passed in I.A.No.591 of 2015 in H.M.O.P.No.660 of 2014, by the Family Court, Erode.

2. The appellant herein, as petitioner, has filed

H.M.O.P.No.660 of 2014, on the file of the trial Court for getting the relief of divorce, wherein the present first respondent has been shown as sole respondent. During pendency of the same, the respondent, as petitioner, has filed I.A.No.591 of 2015, under Section 24 of the Hindu Marriage Act, 1955, praying to pass an order of interim maintenance to her and also to her daughter. The trial Court, after considering the evidence available on record, has directed the appellant herein to pay a sum of Rs.10,000/- per mensem to the educational expenses of his daughter, by way of passing the impugned order and the same is being challenged in the present Civil Miscellaneous Appeal.

3. It is agreed by the learned counsel appearing for both sides that HMOP No.660 of 2014 is in the stage of part-heard. The evidence on the side of the petitioner has already been finished.

4. Considering the stage of HMOP No.660 of 2014 and also considering the nature of the order passed by the trial court, this Court is of the view to give necessary direction to the trial court to dispose of HMOP No.660 of 2014 as mentioned below.

In fine, this Civil Miscellaneous Appeal is **dismissed** without cost. The trial court is strictly directed to dispose of HMOP No.660 of

2014 before the **end of October 2016** and report the same to the Registry without fail. Consequently, the connected Miscellaneous Petition is closed.

(A.S.J.,) (P.K.J.,)
26.08.2016

ajr
To

The Family Court, Erode

A.SELVAM,J.
and
P.KALAIYARASAN,J.

ajr

C.M.A.No.1848 of 2016

26.08.2016