

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.301 of 2016

and

C.M.P.No.1414 of 2016

P.Gopalakrishnan

... Petitioner

vs

1. Saranya

2. G.Subiksha

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decree dated 24.11.2015 made in I.A.No.235 of 2015 in H.M.O.P. No.477 of 2014 on the file the Sub Court, Tambaram.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.S.D.S.Philip

ORDER

This revision challenges the order of learned Subordinate Judge, Tambaram passed in I.A.No.235 of 2015 in H.M.O.P. No.477 of 2014 on 24.11.2015.

2. Heard learned counsel for petitioner and learned counsel for respondents.

3. Learned counsel for petitioner submits that the order under challenge visits petitioner/husband with adverse consequences, since the petitioner is earning only a sum Rs.18500/- per month, pays a sum of Rs.8000/- towards rent and also takes care of his old aged parents. Learned counsel also submits that the first respondent/wife is well qualified and is employed.

4. Learned counsel for respondents submit that the petitioner has admitted in his counter affidavit that he is earning a sum of Rs.23,000/- per month and the order of the court below requiring a total sum of Rs.10,000/- to be paid as maintenance to first respondent wife as also to second respondent minor daughter is just.

5. Considering the rival submissions, this court is of the view that it would appropriate to modify the order under challenge and direct the petitioner to effect a sum of Rs.3,500/- to each of the respondents, in total a sum of Rs.7000/- per month, from the date of the respondents moving the petition before the court below. The petitioner shall effect payment of the arrears of maintenance calculated in keeping with this order within a period of

four weeks from the date of receipt of a copy of this order.

5. With the above modification, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

12.07.2016

Index:yes/no
Internet:yes

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Note : Issue Copy on 21.07.2016

To

The Subordinate Judge,
Tambaram.

C.T.SELVAM, J

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