

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

C.R.P. (PD) NO.3259 OF 2016
AND C.M.P.NO.16506 OF 2016

Seenuvasan

... Petitioner

Vs.

1.Manimegalai

2.Minor Surithi

Rep. By its Natural Guardian

Her moth 1st respondent

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 04.12.2015 passed in I.A.No.10 of 2015 in H.M.O.P.No.97 of 2014 on the file of the Principal Sub Court, Thiruvannamalai.

For Petitioner : Mr.V.Venkatesan

ORDER

The petitioner filed matrimonial proceedings in H.M.O.P.No.97 of 2014 before the Principal Sub Court, Tiruvannamalai, praying for a decree of divorce. In the said proceedings, the respondents filed an interlocutory application in I.A.No.10 of 2015 praying for interim maintenance. The learned Trial Judge granted interim maintenance at the rate of Rs.5,000/-

per month. The said order is now under challenge.

2. The learned counsel for the petitioner contended that the petitioner is not having any avocation and as such, the Trial Court was not correct in fixing the maintenance at an exorbitant rate.

3. The petitioner filed a proceedings in H.M.O.P.No.97 of 2014 praying for a decree of divorce on the ground of cruelty. The application was opposed by the respondents.

4. During the currency of the divorce petition, the respondents filed the application for interim maintenance. The learned Trial Judge taking into account the background facts and more particularly, the financial position of the petitioner and the respondents, allowed the application by directing the petitioner to pay maintenance at the rate of Rs.5,000/- per month. I do not find any error or illegality in granting a maintenance of Rs.5,000/- per month. I am therefore of the view that there is absolutely no merit in this petition.

5. The petitioner is given four weeks time from the date of receipt of a copy of this order to pay the entire arrears.

6. The Civil Revision Petition is dismissed with the above

observation. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

19.10.2016

Index : Yes/No
Internet : Yes/No
TK

To

The Principal Sub Court
Thiruvannamalai.

K.K.SASIDHARAN, J.

TK

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