

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

C.R.P.(PD).No.1123 of 2017
and C.M.P.No.5402 of 2017

M.Srinivasan

... Petitioner

Vs.

S.Leelavathy

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decretal order dated 01.12.2016 passed in I.A.No.222 of 2016 in H.M.O.P.No.310 of 2014 on the file of the Subordinate Judge, Poonamallee.

For Petitioner : Mr.M.Ravibharathi

For Respondent : Mr.V.R.Annagandhi

ORDER

Challenging the order passed in I.A.No.222 of 2016 in H.M.O.P.No.310 of 2014 on the file of the Subordinate Court, Ponnammallee, the petitioner, who is the husband of the respondent, has filed the above Civil Revision Petition.

2.The respondent/wife filed H.M.O.P.No.310 of 2014 for divorce on

the ground of cruelty.

3.The petitioner/husband filed his counter and is contesting the Original Petition.

4.In the said Original Petition, the respondent/wife filed an application in I.A.No.222 of 2016 under Section 24 of the Hindu Marriage Act claiming an interim maintenance for Rs.8,000/- per month and a sum of Rs.10,000/- as litigation expenses.

5.It is not in dispute that the respondent has got a girl child, aged about 4 years now. Admittedly, the minor child is with the respondent/wife. The petitioner took a defence that he is working as a Welder, earning a sum of Rs.6,000/- to Rs.8,000/- per month. As a husband of the respondent, the petitioner is bound to maintain his wife and his minor child.

6.The Trial Court, taking into consideration the case of both parties, awarded a sum of Rs.4,000/- as monthly maintenance and a sum of Rs.5,000/- towards litigation expenses. The award of Rs.4,000/- towards monthly maintenance is very reasonable taking into consideration the

present days cost of living. The respondent/wife is also maintaining her minor daughter and therefore, I do not find any reason to interfere with the order passed by the trial Court.

7.The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes
tkp

27.03.2017

To

1.The Subordinate Judge,
Poonamallee.

M.DURAIWAMY,J.
tkp

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