

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.1172 of 2017
and C.M.P.No.5591 of 2017

Karthick

... Petitioner

Vs.

R.Kavitha

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 16.11.2016 made in I.A.No.16 of 2016 in H.M.O.P.No.51 of 2014 on the file of the Subordinate Judge, Madurantakam.

For Petitioner : Mr.S.Ramesh

ORDER

Challenging the fair and final order passed in I.A.No.16 of 2016 in H.M.O.P.No.51 of 2014 on the file of the Subordinate Court, Madurantakam, the petitioner, who is the husband of the respondent, has filed above Civil Revision Petition.

2.The petitioner filed H.M.O.P.No.51 of 2014 for divorce on the ground of cruelty.

3.The respondent/wife filed her counter and is contesting the Original Petition. In the said Original Petition, the respondent/wife filed an application in I.A.No.16 of 2016 claiming interim maintenance of Rs.25,000/- per month for herself and for her minor child. The respondent also claimed a sum of Rs.25,000/- towards litigation expenses. In the affidavit filed in support of the petition, the respondent/wife has stated that the petitioner is earning a sum of Rs.50,000/- per month and also having immovable properties worth more than One Crore.

4.Though, the petitioner has disputed the averments stated in the affidavit filed in support of the petition, the trial Court, taking into consideration the case of both parties, awarded a sum of Rs.10,000/- towards interim maintenance and a sum of Rs.10,000/- towards litigation expenses.

5.Since the respondent is not only maintaining herself and is also maintaining her minor child, I am of the view that the award of Rs.10,000/- towards interim maintenance is very reasonable. Similarly, the award of Rs.10,000/- towards litigation expenses is also reasonable.

6. In these circumstances, I do not find any reason to interfere with the order passed by the trial Court. The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed.

7. Since the Original Petition in H.M.O.P.No.51 of 2014 is in the trial stage, I direct the Subordinate Judge, Madurantakam to dispose of the Original Petition in H.M.O.P.No.51 of 2014, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes
tkp

27.03.2017

To

1. The Subordinate Judge,
Madurantakam.

**M.DURAISWAMY,J.
tkp**

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