

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2017

CORAM

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

C.R.P.(PD).No.1327 of 2017
and CMP.No.6193 and 8879 of 2017

M.Dinakaran ... Petitioner

Vs.

Bhuvaneswari ... Respondent

Prayer : Civil Revision Petition is filed under Section 115 of the Civil Procedure Code against the order dated 11.01.2017 made in I.A.No.329 of 2014 in HMOP. No.76 of 2012 passed by the Hon'ble Judge, Subordinate Court at Kancheepuram.

For Petitioner : Ms.M.S.Vincy Priscilla

For Respondent : Mr.D.Ashok Kumar

ORDER

WEB COPY

The respondent herein has filed an application in IA.No.329 of 2014 in HMOP.No.76 of 2012 under Section 24 of the Hindu Marriage Act seeking interim maintenance of Rs.10,00,000/- pending disposal of the HMOP. The trial court awarded a sum of

Rs.10,000/- as maintenance to the petitioner. Challenging the said order, the petitioner has filed the present Civil Revision Petition.

2. According to the learned counsel for the petitioner, the respondent is working as Clerk in Accountant General Officers Thrift Society and earning nominal income. However, in support of his contention, the petitioner has not adduced any oral or documentary evidence before the Court below and he also not denied the allegations made in the affidavit filed by the respondent before the Court below. Therefore, without prejudice to the rights of both parties in the main O.P., the Civil Revision Petition itself is disposed of with the following directions:

i) The petitioner has to pay a sum of Rs.5000/- (Rupees Five thousand only) to the respondent from 11.01.2017 till November 2017 towards interim maintenance pending original petition.

ii) in future, the revision petitioner is also directed to pay a sum of Rs.5,000/- (Rupees Five thousand only) to the respondent every month on or before 5th day of every succeeding calender month.

iii) both the parties undertake to co-operate with the trial Court for early disposal of the O.P.

3. In view of the above, the Court below is directed to dispose of the HMOP. No.76 of 2012 within a period of five months from the date of receipt of a copy of this order.

4. The Civil Revision Petition is disposed of with the above directions. Consequently, the connected miscellaneous petition is closed. No costs.

21.11.2017

Speaking/Non-speaking order

Index :Yes/No

Internet: Yes/No

rli/lok

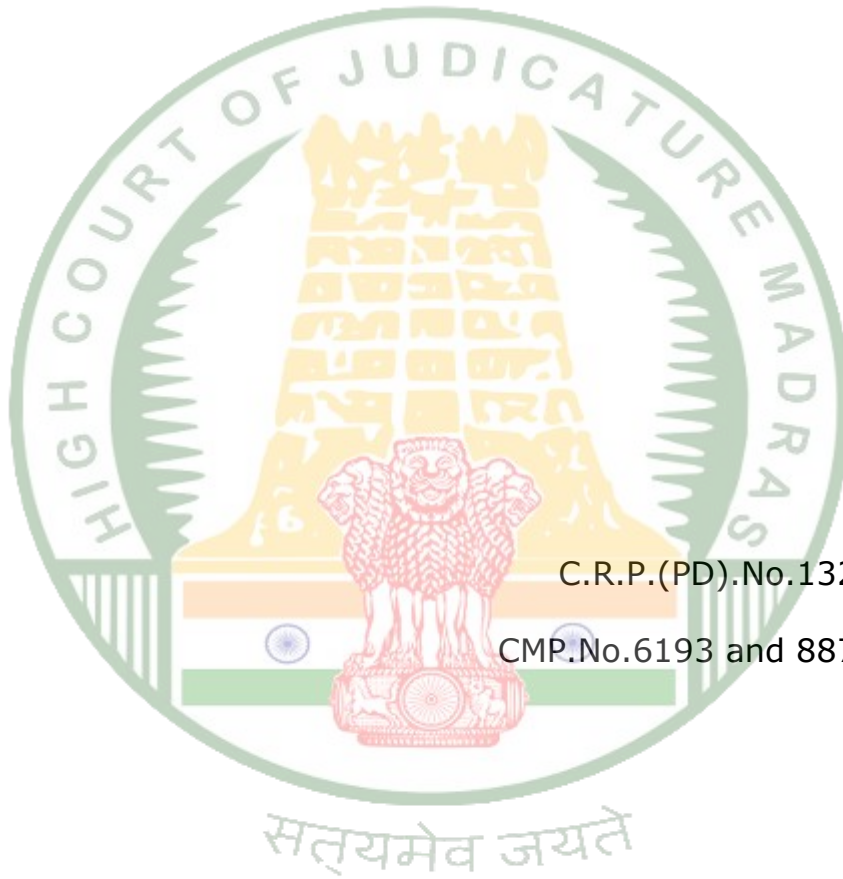
To

The learned Judge,
Subordinate Court,
Kanchipuram.

WEB COPY

D. KRISHNAKUMAR.J.

rli/lok



C.R.P.(PD).No.1327 of 2017
and
CMP.No.6193 and 8879 of 2017

WEB COPY

21.11.2017