

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.07.2017

Coram:

THE HON'BLE MR.JUSTICE R.SUBBIAH

AND

THE HON'BLE MR.JUSTICE A.D.JGADISH CHANDIRA

Civil Miscellaneous Appeal Nos.2775 of 2016
and 2 of 2017 and C.M.P.No.17 of 2017

Dr.Dhev Anand

Petitioner/Respondent/
... Appellant in C.M.A.2775/2016 &
Respondent in C.M.A.2/2017

Versus

P.Aswini

Respondent/Petitioner
... Respondent in C.M.A.2775/2016 &
Appellant in C.M.A.2/2017.

Civil Miscellaneous Appeals filed under Section 19 of the Family Courts Act, 1984:

C.M.A.2775/2016 has been filed against the Fair and Final order of the learned Additional Principal Family Judge, Additional Family Court, Coimbatore, dated 03.10.2016 by allowing the I.A.No.137/2016 in H.M.O.P.No.856/2013.

C.M.A.No.2 of 2017 has been filed against the fair and final order passed in I.A.No.137 of 2016 in H.M.O.P.No.856 of 2013 on the file of the Additional Principal Family Judge, Coimbatore dated 03.10.2016.

For husband .. Mr.I.Abrar Mohamed Abdullah
For wife .. Mr.S.Gunalan

COMMON JUDGMENT

(Judgment of the Court was delivered by R.SUBBIAH, J)

C.M.A.No.2775 of 2016 has been filed by the husband against the order of the Additional Principal Family Judge, Additional Family Court, Coimbatore directing the appellant herein to pay a sum of Rs.30,000/- per month to the wife/respondent and her minor child. Not satisfying with the interim maintenance amount granted by the Additional Principal Family Judge, Additional

Family Court, Coimbatore, the wife has filed C.M.A.No.2 of 2017, seeking to enhance the interim maintenance from Rs.30,000/- to Rs.75,000/-.

2.When the matter came up for hearing on 03.07.2017, the learned counsel for the Appellant/husband in C.M.A.No.2775 of 2016 has submitted that he is prepared to pay the interim maintenance amount of Rs.30,000/- per month granted by the Additional Principal Family Judge, Additional Family Court, Coimbatore and sought for time to pay the arrears of interim maintenance. Hence, the matter was adjourned today.

3.Today, when the matter came up for hearing, the learned counsel for the Appellant/husband in C.M.A.No.2775 of 2016 has handed over a Demand Draft bearing No.485442 dated 10.07.2017 for a sum of Rs.40,5000/- to the Respondent/wife towards arrears of interim maintenance.

4.Since the Appellant/husband is prepared to pay the interim maintenance amount to the wife as awarded by the Additional Principal Family Judge, Additional Family Court, Coimbatore and the Respondent/wife also says that she is satisfied with the interim maintenance of Rs.30,000/- per month awarded by the Additional Principal Family Judge, Additional Family Court, Coimbatore, in I.A.No.137 of 2016 in H.M.O.P.No.856 of 2013, dated 03.10.2016, we are of the opinion that both the appeals could be disposed of by giving direction to the Additional Principal Family Judge, Additional Family Court, Coimbatore, to dispose of the H.M.O.P.No.856 of 2013.

5.In view of the above, both the appeals are disposed of giving direction to the Additional Principal Family Judge, Additional Family Court, Coimbatore, to dispose of the H.M.O.P.No.856 of 2013, within a period of four months. In the meantime, the appellant/husband is directed to pay the interim maintenance continuously to the Respondent/wife, till the disposal of the H.M.O.P.No.856 of 2013.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

gr.

To

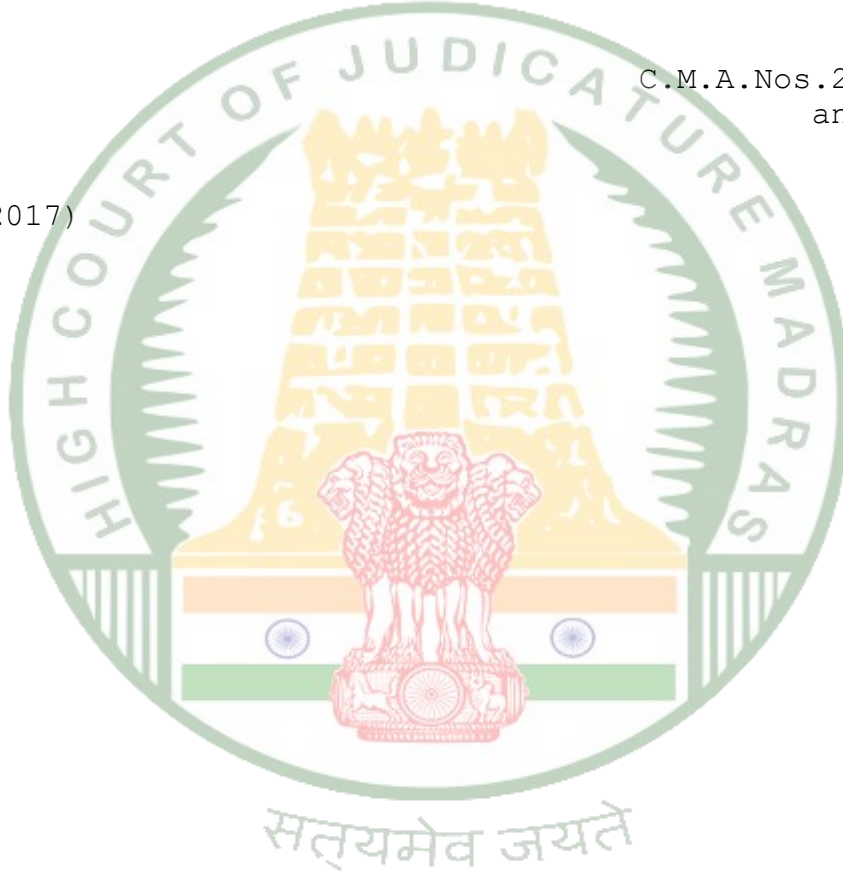
The Additional Principal Family Judge,
Additional Family Court,
Coimbatore.

+lcc to M/S.S.Gunalan, Advocate Sr. 47799

+lcc to M/S.I.Abrar Mohamed Abdullah, Advocate Sr. 48172

C.M.A.Nos.2775 of 2016
and 2 of 2017

CNR (CO)
VR(14/07/2017)



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