

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2017

Coram

The Hon'ble Mr. Justice A.SELVAM
and
The Hon'ble Mr. Justice P.KALAIYARASAN

C.M.A.No.2999 of 2017
and
C.M.P.No.17734 of 2017

B.Ravi Kumar .. Appellant/Respondent/Petitioner

Vs

Sonia Ravi .. Respondent/Petitioner/Respondent

Civil Miscellaneous Appeal is filed under section 19 of Family Court Act preferred against the order dated 01.09.2017, passed in I.A.No.158 of 2017 in H.M.O.P.No.68 of 2017, by the Additional Principal Family Court, Coimbatore.

For Appellant .. Mr.G.Preethy
For Respondent .. Mr.A.J.Mohamed Kasim

JUDGMENT

(Judgment of the Court was delivered by A.SELVAM, J.)

This Civil Miscellaneous Appeal is directed against the order dated 01.09.2017 passed in I.A.No.158 of 2017 in H.M.O.P.No.68 of 2017 by the Additional Principal Family Court, Coimbatore.

2.The appellant herein, as petitioner, has filed H.M.O.P.No.68 of 2017, on the file of the trial Court for getting restitution of conjugal rights, wherein, the present respondent has been shown as respondent.

3.During pendency of the same, the respondent, as petitioner, has filed I.A.No.158 of 2017, under Section 24 of the Hindu Marriage Act, 1955, praying to grant interim monthly maintenance and also litigation expenses.

4.The trial Court, after considering the available

evidence on record, has allowed I.A.No.158 of 2017 in part and thereby directed the respondent therein to pay interim monthly maintenance of Rs.10,000/- and also another sum of Rs.10,000/- towards litigation expenses, by way of passing the impugned order and the same is being challenged in the present Civil Miscellaneous Appeal.

5.The learned counsel appearing for the appellant/respondent has contended to the effect that the appellant/respondent has already paid all arrears of interim monthly maintenance and the matter is likely to be settled between the parties.

6.It is seen from the records that the respondent/petitioner has claimed monthly maintenance to the tune of Rs.40,000/- and litigation expenses to the tune of Rs.50,000/-.

7.The trial Court, after considering the status of the parties, has partly allowed I.A.No.158 of 2017 and thereby directed the appellant/respondent/husband to pay interim monthly maintenance of Rs.10,000/- and also a litigation expenses to the tune of Rs.10,000/-.

8.Considering the aforesaid factual aspects, this Court has not found any error nor illegality in the order passed by the trial Court. Under such circumstances, the present Civil Miscellaneous Appeal deserves to be dismissed.

In fine, this Civil Miscellaneous Appeal is dismissed without costs. The order passed in I.A.No.158 of 2017 in H.M.O.P.No.68 of 2017 by the trial Court is confirmed. The trial Court is directed to dispose of H.M.O.P.No.68 of 2017 before the end of January 2018 and report the same to the Registry without fail. Connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

msk

To

The Additional Principal Family Court,
Coimbatore.

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1.The Registrar Judicial,
High court, Madras.

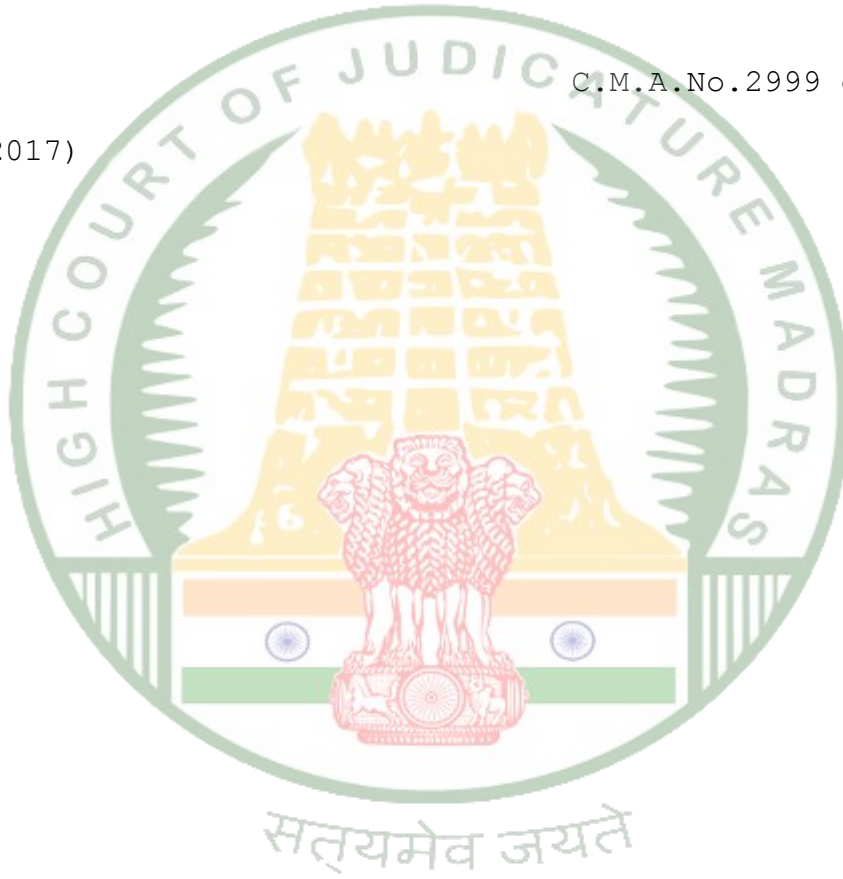
2.The Section Officer,
Judicial Section,
High court, Madras.

+lcc to Mr.V.S.Usha Rani, Advocate SR.No.87849

+lcc to Mr.C.S.Saravanan, Advocate SR.No.87801

C.M.A.No.2999 of 2017

NRJK(CO)
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