

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.817 of 2014 &
M.P.No.1 of 2014

S.Ramesh

... Petitioner

v.

Karthiga

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and final order dated 30.04.2013 made in I.A.No.26 of 2012 in H.M.O.P.No.59 of 2011 on the file of Subordinate Judge, Namakkal.

For Petitioner : Mr.V.P.K.Gowtham

ORDER

The petitioner, who is the husband of the respondent, has filed the above Civil Revision Petition challenging the order passed in I.A.No.26 of 2012 in H.M.O.P.No.59 of 2011 on the file of Subordinate Court, Namakkal.

2. The petitioner filed the Original Petition for divorce on the ground of cruelty. The respondent-wife filed counter and is contesting the Original Petition. In the said Original Petition, the respondent-wife filed an application in I.A.No.26 of 2012 under section 24 of the Hindu Marriage Act claiming a sum of Rs.5,000/- towards interim maintenance for herself and her daughter, i.e., the respondent had claimed a sum of Rs.2,000/- for her and a sum of Rs.3,000/- for her daughter's maintenance.

3. According to the respondent-wife, the petitioner is owning landed properties and is earning a sum of Rs.10,00, 000/- per year. On the side of the respondent, she was examined as P.W.1 and in her evidence, she had categorically stated about the income of the petitioner-husband and she has also established that he was earning sufficiently for paying the

monthly maintenance to her and her daughter.

4. Taking into consideration the case of both the parties, the Trial court awarded a sum of Rs.3,000/- per month to the respondent as monthly maintenance. The Trial Court also awarded a sum of Rs.5,000/- towards litigation expenses to the respondent.

5. It is needless to say that the petitioner is bound to maintain the respondent and his daughter. The award of Rs.3,000/- per month towards interim maintenance is very meagre and therefore, 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. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No

14.03.2017

Rj
To
The Subordinate Judge,
Namakkal.

M. DURAISWAMY,J.,

Rj

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