

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 05.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.M.A.No.3119 of 2013

and

MP.No.1 of 2013

J.Uma Maheswari

.. Appellant

Vs.

P.Soundararajan

.. Respondent

Prayer : Civil Miscellaneous Appeal preferred under Section 19 of Family Court Act, against the fair and decreetal order passed in I.A.No.927 of 2010 in O.P.No.2219 of 2010 dated 05.06.2013 passed by the I Additional Family Court Judge, Chennai.

For Appellant : Mr.N.Ramachandran

For Respondent : No Appearance

JUDGMENT

[JUDGMENT OF THE COURT WAS DELIVERED BY C.T.SELVAM, J]

Heard learned counsel for appellant. There is no representation for respondent.

2. Learned counsel for appellant submitted that the trial Court passed the order of interim maintenance in a of Rs.3,500/- per month to the petitioner and a sum of Rs.1,500/- per month to the minor child totalling a sum of Rs.5,000/- per month payable to the appellant/petitioner and the respondent/husband/father is an M.Tech graduate.

3. In response to query of this Court, learned counsel for appellant submits that the main O.P.No.2219 of 2010 has been taken up for hearing and the respondent has also been examined.

4. In the said circumstances, this Court, without entering

into merits, directs the Court below to dispose of the main OP itself, in any event, within a period of two months from the date of receipt of a copy of this judgment. The Court below shall deal with the main OP solely on merits and without in any manner influenced by the observations of the Court below on disposing of I.A.No.927 of 2010 which is under challenge in this CMA.No.3119 of 2013. I.A.No.927 of 2010, wherein the petitioner sought return of jewellery may be disposed of, within a period of one month, from the date of receipt of a copy of this Judgment.

5. The Civil Miscellaneous Appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-sd/-
Assistant Registrar
/ TRUE COPY /
Sub-Assistant Registrar

kmi

To:

1. The Judge,
I Additional Family Court,
Chennai.
2. The Section Officer,
V.R.Section,
High Court,
Madras.

सत्यमेव जयते

C.M.A.No.3119 of 2013

gmi[co]
RD 10/11/2017

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