



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.M.A(MD)No.699 of 2017
and
C.M.P(MD)No.7389 of 2017

S.Sanjaikumar

... Appellant

Vs.

P.Rama

...Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19(4) of Family Court Act, to allow the CMA with costs by setting aside the fair and decreetal order dated 01.03.217 passed in I.A.No.4 of 2017 in H.M.O.P.No.7 of 2015 on the file of Family Court, Srivilliputhur, dated 01.03.2017.

For Appellant

: Mr.A.Sivaji

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

This appeal has been filed against the order of granting maintenance of Rs.8,000/- (Rupees eight thousand only) in favour of the respondent in a petition filed by the appellant seeking divorce.

2.The learned counsel for the appellant would submit that certain deductions have already been made in favour of the respondent. The appellant has not even produced any document to show his income. The contention sought to be raised was considered by the Court below, wherein it has been held that even as per the document produced, though doubtful, only Rs.5,100/- (Rupees five thousand hundred only) has been deducted, that too for the Welfare of the Child. Admittedly, no amount has been paid for the maintenance of the respondent. Now the said amount has been sought for on behalf of the respondent alone.

3.In such view of the matter, we do not find any error in the order passed therein. Accordingly, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous



petition is also closed.

4. However taking into consideration of the divorce petition in H.M.O.P.No.7 of 2015 pending for more than two years, a direction is issued to the Family Court Judge, Srivilliputhur to dispose of the divorce petition within a period of four months from the date of receipt of a copy of this order. Though the respondent sought for higher amount, the Court below has granted only Rs.8,000/- for maintenance and the same is just and reasonable.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

The Presiding Officer,
Family Court,
Srivilliputhur.

+1 cc to Mr.A.Sivaji , Advocate in SR.No. 72083

smi/am

AE/KP/SAR3/05.09.2017/2P/3C

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