



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.M.A(MD)No.931 of 2017

K.Manickam ... Appellant

Vs.

Jeyalakshmi ...Respondent

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of M.V. Act, to call for the records pertaining to the order dated 25.02.2016 made in I.A.No.481 of 2014 in H.M.O.P.No.61 of 2014, on the file of the Family Court Judge, Madurai and set aside the same.

For Appellant : Mr.T.Vadivelan

JUDGMENT

[Judgment of the Court was made by K.KALYANASUNDARAM,J.]

This appeal is directed against the order passed by the Family Court, Madurai in I.A.No.481 of 2014 in H.M.O.P.No.61 of 2014. The appellant is the husband and the respondent is the wife. The relationship of the parties are not in dispute.

2.The appellant filed H.M.O.P.No.61 of 2014 seeking divorce under Section 13(1)(i-a) and (i-b) of the Hindu Marriage Act, 1955. During the pendency of the divorce petition, the respondent filed I.A.No.481 of 2014 under Section 24 of the Hindu Marriage Act, 1955 claiming interim maintenance at the rate of Rs.5,000/- per month.

3.The Family Court taking note of the fact that the relationship of the parties are not in dispute and the minor children are in custody of the appellant, ordered Rs.1,500/- per month as interim maintenance to his wife. In our considered view, no interference is required with the order of the Family Court. The appeal fails and is dismissed. No costs.



4. However, the Family Court, Madurai is directed to dispose of the H.M.O.P.No.61 of 2014 on merits and in accordance with law, as expeditiously as possible, within a period of six months from the date of receipt of a copy of this order.

WEB COPY

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Family Court,
Madurai.

+1cc to M/S.T.Vadivelan, Advocate SR.No. 85379

C.M.A (MD) No. 931 of 2017
06.11.2017

AM
JM/SV MMS/SAR 1/09.01.2018/2P/3C