

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

C.R.P.(PD).No.909 of 2011

and

M.P.No.1 of 2011

Dr.T.Mallikarjuna Rao

... Petitioner

Vs

Mrs.Geetha Mallikarjuna Rao

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order of I.A.SR.No.1896 of 2011 in I.A.No.2911 of 2008 in O.P.No.3607 of 2007 dated 28.02.2011 on the file of the II Additional Family Court, Judge, Chennai.

For Petitioner : No Appearance
For Respondent : Mr.S.Sadasivan

सत्यमेव जयते

ORDER

When the case was taken up for hearing on 03.04.2018, there is no representation for the petitioner. Hence, the case was posted under the caption for dismissal on 04.04.2018. Even today, there is no representation for the petitioner. The learned counsel for the respondent is present and made his submissions.

2. The learned counsel for the respondent/wife submitted that CRP(PD) No.909 of 2011 has since been withdrawn, this Court had dismissed it as infructuous on 26.04.2013. So far as this case is concerned, the learned counsel submitted that the respondent/wife had filed a petition in O.P.No.3607 of 2007 on the file of the II Additional Family Court, Chennai for dissolution of marriage on the ground of physical and mental cruelty and in that petition, she has taken out an interim application in I.A.No.2911 of 2008, for payment of interim alimony, that the petitioner/husband had made an endorsement and offered to pay Rs.10,000/- per mensem as maintenance, based on which the Family Court had passed an order directing him to pay monthly maintenance, that he had futilely challenged that order in an earlier revision petition in C.R.P.No.1811 of 2011, which came to be dismissed on 21.09.2010, wherein this Court has granted leave to the petitioner to file an appropriate petition before the Family Court, if he considered that the endorsement earlier referred to was mistakenly done. In the meantime, the petitioner/husband had not paid the maintenance amount as was originally directed by the Family Court, consequent to which, his pleadings were struck off and on 23.04.2011, the Family Court had passed an order. Be that as it may, pursuant to the leave granted in CRP (PD) No.1811 of 2010, the petitioner has filed I.A.SR.1896 of 2011 for withdrawing the endorsement by which he had offered to pay interim maintenance. This was dismissed. Challenging which, the petitioner/husband has come out with the present Civil Revision Petition.

3. Since there is no representation for the petitioner, this Civil Revision Petition is dismissed for default. No costs. Consequently, connected miscellaneous petition is closed.

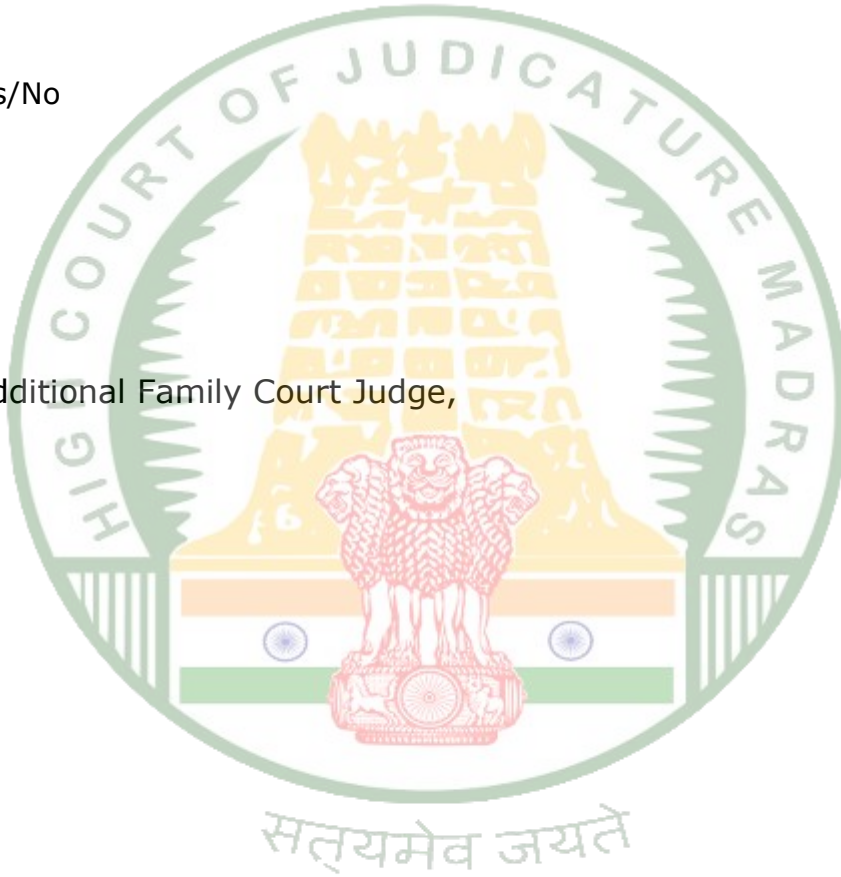
04.04.2018

Index:Yes/No

ssn

To

The II Additional Family Court Judge,
Chennai.



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N.SESHASAYEE, J.,
ssn



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