



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.06.2018

CORAM

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THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P. (MD) .No. 725 of 2018
and C.M.P.(MD) No. 3160 of 2018

Neelakandan .. Petitioner

Vs.

Muthu Rajeswari .. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 09.10.2017 passed in I.A.No.98 of 2017 in HMOP No.110 of 2018 on the file of the learned III Additional Subordinate Judge, Madurai.

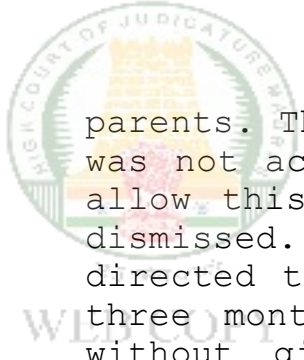
For Petitioner : Mr. PT. S.Narendravasan
For Respondent : Mr.M.Sridharan

O R D E R

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

2. The petitioner is the husband of the respondent/wife. The main divorce petition filed by the respondent as against the petitioner in HMOP No.110 of 2018 is pending on the file of the learned III Additional Sub-Judge, Madurai. In pending divorce proceedings, the respondent/wife has filed a interlocutory application in I.A.No.98 of 2017 in HMOP No.110 of 2018 under Section 24 of Hindu Marriage Act seeking interim maintenance of Rs.33,000/-p.m, to the petitioner from the date of petition. The learned III Additional Subordinate Judge, Madurai, allowed the I.A.No.98 of 2017 and ordered that the respondent shall pay a sum of Rs.6,000/-(Rupees Six Thousand Only) per month, as interim maintenance, to the petitioner and three children, from the date of petition and in addition to pay a sum of Rs.10,000/-(Rupees Ten Thousand Only) towards litigation expenses shall be paid within a three months. Aggrieved against the said order, the petitioner/respondent is before this Court.

3. It is the bounden duty of this petitioner to pay the respondent and his three children. The case of the petitioner is that he received a minimum salary which is not at all fulfill the requirement of the petitioner and his aged



parents. Therefore, he could not able to pay the maintenance which was not accepted by this Court. Therefore, I am not inclined to allow this Civil Revision Petition and accordingly, the same is dismissed. The learned III Additional Sub-Judge, Madurai is directed to dispose the HMOP No. 110 of 2018, within a period of three months, from the date of copy of receipt of this order, without giving any adjournments on either parties. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar (Crl Side)

/True copy/

Sub Assistant Registrar

To

The III Additional Sub-Judge,
Madurai.

+1cc to Mr.M.SRIDHARAN, Advocate, SR.No. 69035

C.R.P. (MD).No. 725 of 2018
20.06.2018

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