



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) (PD)No.785 of 2017

and

C.M.P.(MD)No.7269 of 2018 and 3574 of 2017

Rajasekar ... Petitioner/Respondent/Petitioner

/Vs./

Sathiyavani ... Respondent/Petitioner/Respondent

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to set aside the order and decreetal order dated 03.12.2016, rendered in I.A.No.75 of 2015 in H.M.O.P.No.33 of 2015 on the file of the learned Principal Sub Judge, Thanjavur and allow this civil revision petition.

For Petitioner : Mr.S.Muthalraj

For Respondent : Mr.R.Gandhi

ORDER

The revision petitioner in this civil revision petition got married to the respondent on 22.10.2007. The relationship between the parties appears to have come under strain. Therefore, the revision petitioner filed H.M.O.P.No.33 of 2015 before the Principal Sub Court, Thanjavur seeking divorce. In H.M.O.P.No.33 of 2015, the respondent, namely, Sathiyavani filed I.A.No.75 of 2015 seeking interim maintenance and litigation expenses. The Court below by order dated 03.12.2016 allowed I.A.No.75 of 2015 and directed the revision petitioner herein to pay a sum of Rs.5,000/- as litigation expenses and Rs.3,000/- as interim maintenance. Questioning the said order, this civil revision petition has been filed.

2. Heard the learned counsel on either side.

3. I am of the view that the amount of Rs.3,000/- ordered to be paid as interim maintenance per month cannot be said to be excessive by any standard. Order passed by the Court below does not call for any interference and there is no merit in this civil revision petition. Accordingly, this civil revision petition stands dismissed. No costs.



4. This Court had imposed a condition that the revision petitioner should deposit the amount every month. It appears that the revision petitioner had complied with the order passed by this Court. The respondent / wife has filed C.M.P.(MD)No.7269 of 2018 for withdrawing the amount. The purpose of directing the revision petitioner to pay the interim maintenance is to enable the wife to survive by utilising the money. Therefore, it is only just and proper that the respondent, namely, Sathiyavani is allowed to withdraw the amount deposited by the revision petitioner herein. Accordingly, C.M.P.(MD)No.7269 of 2018 is allowed. Consequently, C.M.P.(MD)No.3574 of 2017 is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Principal Sub Judge,
Thanjavur.

+1cc to Mr.R.Gandhi, Advocate, Sr.No.89952.

+1cc to Mr.S.Muthalraj, Advocate, Sr.No.89639.

Order made in
C.R.P. (MD) (PD) No.785 of 2017
and
C.M.P. (MD) No.7269 of 2018
09.10.2018

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RAM-KK/RSK/SAR 3/06.12.2018/2P/4C