



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP(MD)No.1794 of 2016 (PD)

Malliga

... Petitioner

Vs.

Saravanan

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the entire records pertaining to the order passed by the learned Subordinate Judge, Ambasamudram, Tirunelveli District in I.A No.119 of 2014 in H.M.O.P No.54 of 2013 vide his order dated 12.03.2016 and set aside the same insofar as it relates to the petitioner and consequently direct the respondent to pay sum of Rs.10,000/- as monthly maintenance and further direct him to pay a sum of Rs.15,000/- as expenses of the proceeding from the date of HMOP Petition.

For Petitioner

: Mr.R.Anand

For Respondents

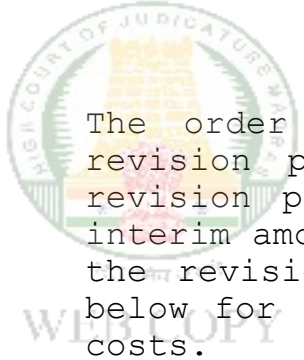
: Mr.R.J.Karthik

ORDER

The revision petitioner is the wife of the respondent. She got married to the respondent on 30.11.2011. A female child was born through the wedlock. The respondent filed HMOP No.54 of 2013 for divorce. In the said HMOP, the revision petitioner filed I.A No.119 of 2014 seeking payment of interim maintenance. The court below by order dated 12.03.2016 directed the respondent to pay a sum of Rs.3,000/- to the child. Contending that the court below has not awarded any interim amount to the petitioner/wife, this civil revision petition has been filed.

2.Heard the learned counsel for the petitioner.

3.It is seen that the revision petitioner is working as a Nurse in a Government Hospital. Therefore, the question of paying any interim maintenance amount by the respondent does not arise. The court below rightly denied the claim of the revision petitioner.



The order impugned in this petition is sustained. This civil revision petition is dismissed. The learned counsel for the revision petitioner submits that the respondent has not paid any interim amount to the child till date. If that be so, it is open to the revision petitioner to file an application before the court below for striking of divorce petition itself on that ground. No costs.

Sd/
Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar (CS-II)

To

The Subordinate Judge, Ambasamudram, Tirunelveli District.

+1cc to Mr.R.J.KARTHICK, Advocate, SR.No. 82706

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