



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARANC.R.P. (MD) No.1470 of 2018andC.M.P. (MD) No.6371 of 2018

Dr.S.Alfred Sathiya Sekhar

... Petitioner

Vs.

Mrs.B.Alice Priya

... Respondent

Prayer:- This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records of the order and decretal order, dated 01.06.2018, passed in I.A.No.14 of 2018 in I.D.O.P.No.78 of 2018 (previously I.D.O.P.No.425 of 2017) (received on 13.06.2018) on the file of the learned District Judge, Family Court, Kanyakumari Division at Nagercoil and set aside the same by allowing this Civil Revision Petition.

For Petitioner

:Ms.Abisha Isaac

for M/s.Isaac Chambers

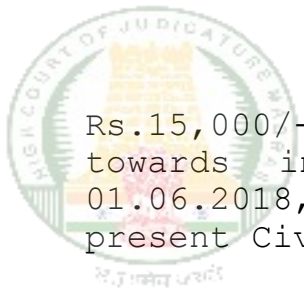
For Respondent

:Mr.N.Dilipkumar

ORDER

The revision petitioner has filed the present Civil Revision Petition invoking Article 227 of the Constitution of India, seeking to set aside the order and decretal order, dated 01.06.2018, passed in I.A.No.14 of 2018 in I.D.O.P.No.78 of 2018 (previously I.D.O.P.No.425 of 2017, received on 13.06.2018) on the file of the learned District Judge, Family Court, Kanyakumari Division at Nagercoil.

2.The revision petitioner/husband has filed I.D.O.P.No.425 of 2017 seeking restitution of conjugal rights and resumption of marriage life with the respondent/wife before the Principal District Court, Kanyakumari at Nagercoil and subsequently, the said I.D.O.P. was transferred to the file of Family Court, Nagercoil, and re-numbered as I.D.O.P.No.78 of 2018. During the pendency of I.D.O.P.No.78 of 2018, the respondent has filed I.A.No.14 of 2018 for maintenance. After hearing both parties, the learned District Judge, Kanyakumari District at Nagercoil, by order dated 01.06.2018, allowed the said application, directing the revision petitioner to pay a sum of Rs.10,000/- per month to the respondent/wife and



Rs.15,000/- per month each to the minor daughter and minor son towards interim maintenance. Against the said order dated 01.06.2018, the revision petitioner/husband has come out with the present Civil Revision Petition.

3.I have heard the learned counsel on either side and perused the materials available on record.

4.It is a fit case for granting interim maintenance to the respondent and the children. Though the order passed by the learned District Judge, Family Court, Kanyakumari District at Nagercoil, is not warranting interference, I am inclined to only modify the said order. Accordingly, the revision petitioner is directed to pay a sum of Rs.10,000/- per month to the respondent/wife towards interim maintenance as ordered by the learned District Judge, Kanyakumari District at Nagercoil and pay a sum of Rs.7,500/- per month each to the minor daughter and the minor son, totalling Rs.25,000/- [Rs.10,000/- + Rs.7,500/- x 2] till the disposal of I.D.O.P.No.78 of 2018. The revision petitioner is also directed to pay arrears of interim maintenance amount, within a period of four weeks from the date of receipt of a copy of this order. The learned District Judge, Kanyakumari District at Nagercoil, is directed to dispose of I.D.O.P.No.78 of 2018, within a period of four months from the date of receipt of a copy of this order.

5.With the above directions, this Civil Revision Petition is disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The District Judge,
Family Court,
Kanyakumari District at Nagercoil.

+1CC to M/s.Isacc Chambers in SR.No.73931.

+1CC to Mr.N.Dilipkumar Advocate in SR.No.73657.

SMN2

DS/SKN-RSK/SAR-2 :30.07.2018: 2P/4C

C.R.P. (MD)No.1470 of 2018
18.07.2018