

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD).No.601 of 2019

and

C.M.P.No.4024 of 2019

Venkatesan

...Petitioner

Vs

Nithya

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order passed by the learned Subordinate Judge, Omalur, Salem District dated 27.08.2018 in I.A.No.36 of 2018 in H.M.O.P.No.121 of 2018.

WEB COPY

For Petitioner : Mr.G.Muthukumar

ORDER

The above Civil Revision Petition is filed challenging the order passed by the learned Subordinate Judge, Omalur, Salem District, in I.A.No.36 of 2018 in H.M.O.P.No.121 of 2018, in and by which the learned Judge has directed the revision petitioner to pay a sum of Rs.5,000/- towards interim maintenance to the respondent/wife from the date of filing the petition and a sum of Rs.5,000/- towards litigation expenses as against the request of a sum of Rs.15,000/- per month for interim maintenance and a sum of Rs.15,000/- towards litigation expenses.

2.The petitioner, in her affidavit filed in support of Section 24 application, has given details of various sources from which her husband is deriving income. The only answer to the said application was that the petitioner was unemployed which appeared to be an objection taken for the purpose of the petition.

3.Be that as it may, the revision petitioner/husband is duty bound to maintain his wife and the Lower Court has just ordered a sum of Rs.5,000/- per month towards interim maintenance which in the opinion of this Court is very reasonable and it would just be enough for the wife to maintain herself with the basic necessities. I find no infirmity in the order of the learned Subordinate Judge, Omalur, Salem District.

4.This Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

5.The learned counsel for the revision petitioner would submit that there no conciliation was initiated by the learned Subordinate Judge, Omalur and if the parties had participated in conciliation, things would be sorted out.

WEB COPY

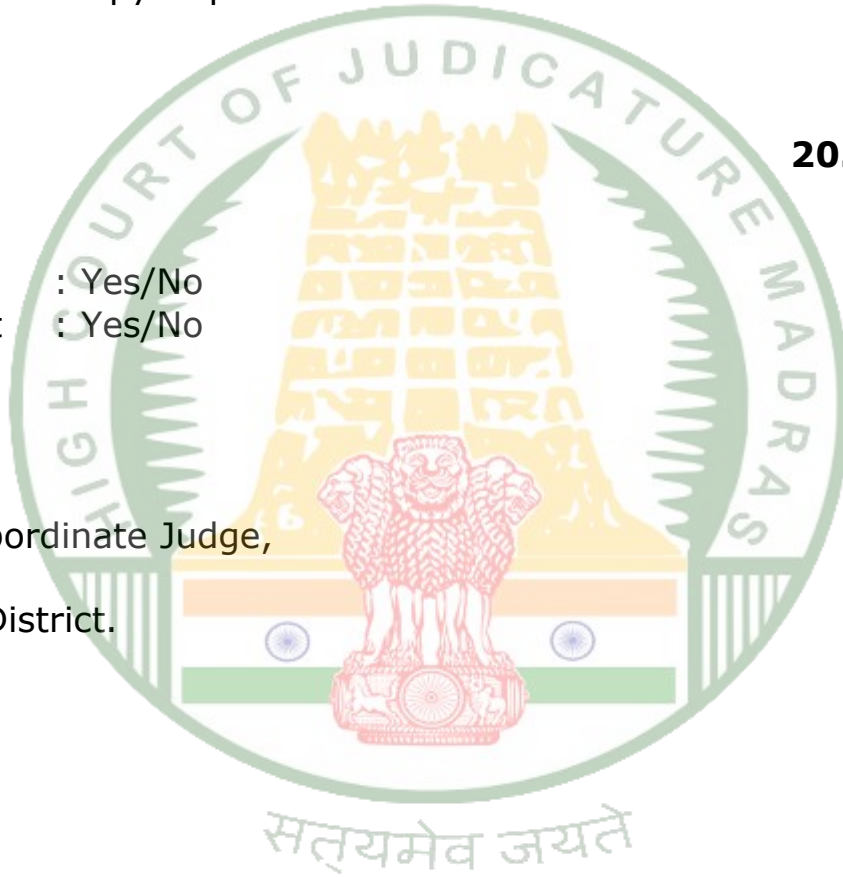
Considering the above, while dismissing the application, this Court directs the learned Subordinate Judge, Omalur, Salem District, to post the H.M.O.P. for conciliation within a week of receipt of a copy of production of this order.

20.02.2019

Index : Yes/No
Internet : Yes/No
mps

To

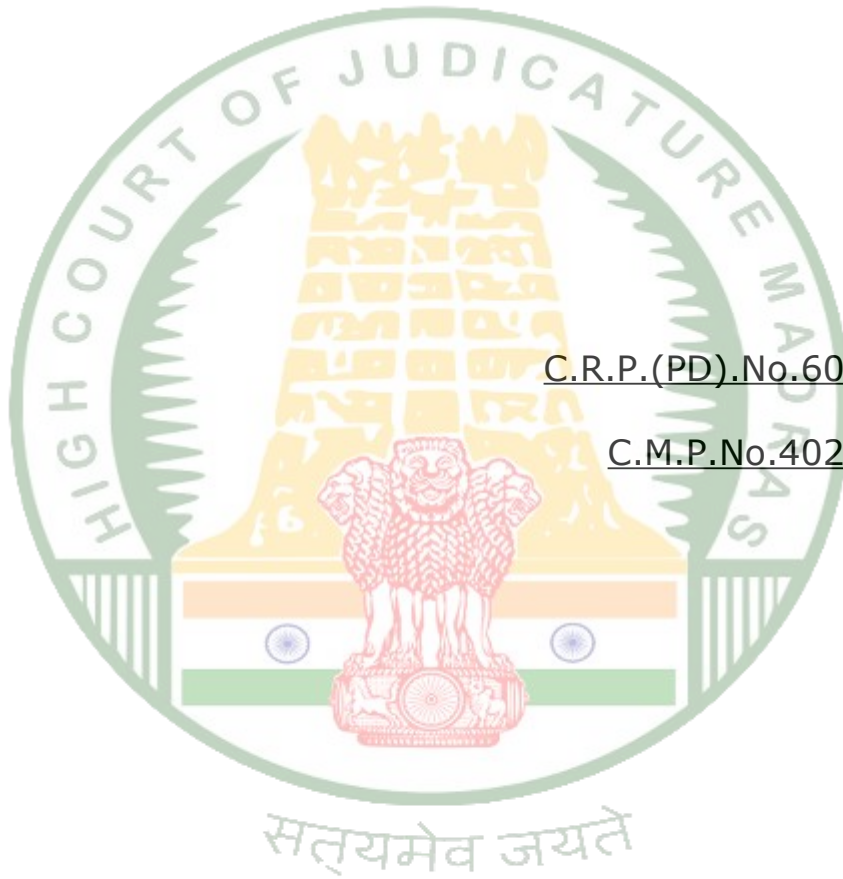
The Subordinate Judge,
Omalur,
Salem District.



WEB COPY

P.T. ASHA, J,

mps



C.R.P.(PD).No.601 of 2019
and
C.M.P.No.4024 of 2019

20.02.2019

WEB COPY