

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.02.2019

Coram

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR. JUSTICE C.SARAVANAN

C.M.A.No.1512 of 2019
and
C.M.P.No.4217 of 2019

Domnick @ A.George Domnick ... Appellant

vs.

S.Dheboral @ Tamilarasi ... Respondent

Appeal filed under Section 19 of the Family Courts Act, 1984 against the fair order and decretal order dated 29.10.2018 made in I.A.No.821 of 2018 in O.P.No.1840 of 2017 on the file of the I Additional Family Court, Chennai.

For Appellant : Ms.S.Sinthana Devi

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

As against the interim maintenance awarded to the wife, this appeal has been filed by the husband. The Family Court, by taking note of the fact that the respondent was not employed and there is a minor child to take care of, granted a sum of Rs.7,500/- towards interim maintenance. Challenging the same, the present appeal has been filed.

2.Learned counsel appearing for the appellant submits that the aforesaid amount is very high as the appellant is earning only Rs.5,000/- per month. Reliance has been made on the document dated 10.01.2019, which is a salary certificate.

3.Interim maintenance is for the sustenance of the wife and the child. Though a sum of Rs.20,000/- per month has been sought for by the respondent, the Family Court has granted only Rs.7,500/- towards interim maintenance. The status of the

parties is not in dispute. The document dated 10.01.2019 sought to be relied upon has not been marked before the Family Court and it is also the subsequent document.

4. In such view of the matter, we do not find any ground to interfere with the order passed by the Family Court and this Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

5. Taking into consideration the fact that the petition is pending in O.P.No.1840 of 2017 for nearly two years, we direct the I Additional Principal Judge, Family Court, Chennai to dispose of the same within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

The I Additional Principal Judge,
I Additional Family Court,
Chennai.

C.M.A.No.1512 of 2019

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