

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2019

Coram

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

C.M.A.No.2095 of 2019

F.Sesu Raj .. Appellant/Petitioner

vs.

M.Kavitha @ Sherlyn

.. Respondent/Respondent

Appeal filed under Section 19 of the Family Courts Act, 1984 against the order and decretal order passed in I.A.No.5898 of 2018 in O.P.No.4780 of 2016 dated 29.01.2019 on the file of the Principal Judge, Family Court, Chennai.

For Appellant : Mr.V.Shivalingam

JUDGMENT

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

This appeal is directed against the order dated 29.01.2019 passed by the Principal Judge, Family Court, Chennai, in I.A.No.5898 of 2018 in O.P.No.4780 of 2016, by which a sum of Rs.7,500/- per month was ordered as interim maintenance apart from ordering paltry amount towards travelling expenses and litigation expenses though the respondent has sought for Rs.85,000/- per month.

2.Learned counsel appearing for the appellant submitted that without any basis, the Family Court has ordered interim maintenance. It is further submitted that the appellant does not have sufficient means to pay the respondent. Though the respondent sought for a very high amount, the Family Court has awarded only Rs.7,500/- per month. The status of the parties is not in dispute. There is no material to show that the appellant is unable to make the payment.

3.In such view of the mater, we do not find any error in the order of the Family Court, warranting interference. Accordingly, the Civil Miscellaneous Appeal stands dismissed. No costs.

4.Taking into consideration the pendency of the case in O.P.No.4780 of 2016 for nearly three years, the Principal Judge, Family Court, Chennai is directed 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(CS VI)

//True Copy//

Sub Assistant Registrar

mmi

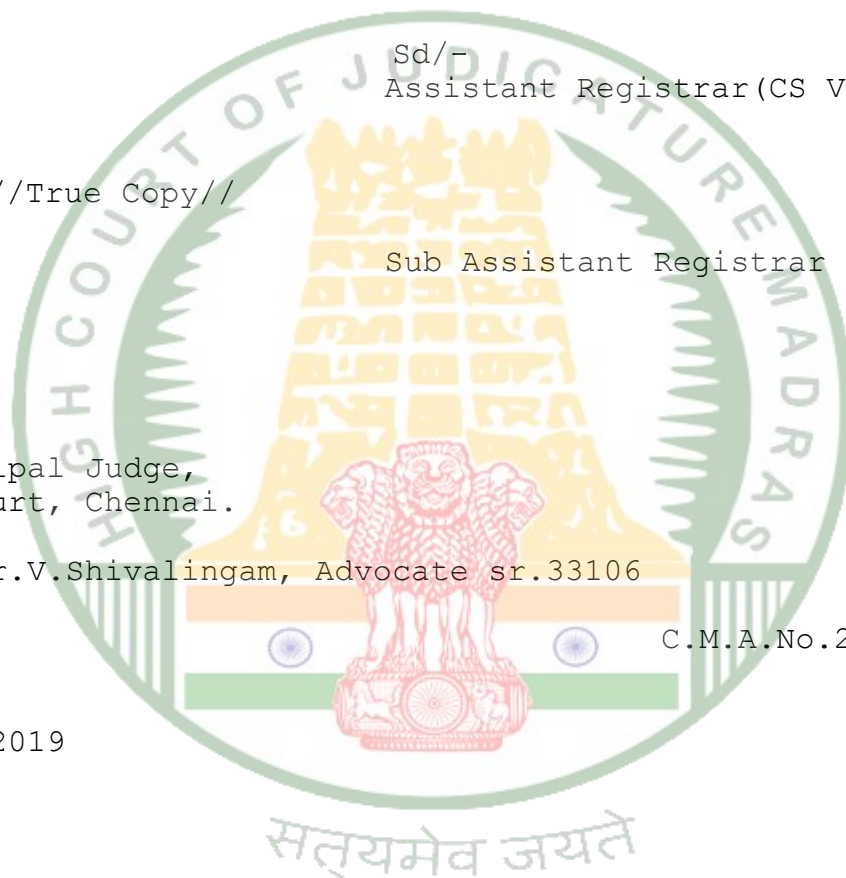
To

The Principal Judge,
Family Court, Chennai.

+1cc to Mr.V.Shivalingam, Advocate sr.33106

C.M.A.No.2095 of 2019

rsi(co)
nr 02/07/2019



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