

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

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THE HONOURABLE **Ms.JUSTICE P.T.ASHA**

CRP.(PD).No.1592 of 2019

and

C.M.P.No.10422 of 2019

C.Hemanth Kumar ..Revision Petitioner/Respondent

Vs

Sumathy ..Respondent/Petitioner

This Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and final order dated 23.01.2019, passed in I.A.No.4 of 2018 in H.M.O.P.No. 104 of 2017, on the file of the learned Principal Subordinate Judge, Vellore.

For Petitioner : M/s.Ananda Ramani

ORDER

The above Civil Revision Petition is filed challenging the order passed by the learned Principal Subordinate Judge, Vellore, in I.A.No. 4 of 2018 in HMOP.No. 104 of 2017, where the wife has sought for monthly maintenance of Rs.50,000/- and litigation expenses of Rs.50,000/-. The learned Judge has granted only a sum of Rs. 5,000/-, for monthly maintenance and litigation expense of Rs.10,000/-. This Court does not find any infirmity in the order passed by the learned Judge, since it is bounden duty of the husband to maintain the wife.

2 It is brought to the notice of this Court that the allegations have been made back and forth by the parties. Before proceeding further this Court is of the view that mediation could be first initiated.

3 Accordingly, the learned Principal Subordinate Judge, Vellore, is directed to first refer both parties for mediation.

4 It is also brought to the notice of this Court that the wife has moved yet another application for maintenance. The learned Judge shall first initiate mediation proceedings before taking up the second application. It is made clear that the husband shall pay the entire arrears and continue to pay the maintenance and until such time as the arrears is paid, the Court shall not refer the matter for mediation.

5 In the result, the Civil Revision Petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is also closed.

P.T.ASHA, J.

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Index: Yes/No
Internet: Yes/No
Speaking order / Non-speaking order
To

The learned Principal Subordinate Judge,
Vellore.

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