

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

CRP (PD) NO.1593 OF 2019

AND

CMP NO.10426 OF 2019

Pooranavel

.. Petitioner

Versus

Bhuvanalosini

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 15.11.2018 made in I.A.No.145 of 2017 in HMOP No.133 of 2016 on the file of the Sub Court, Pollachi.

For Petitioner : Mr.D.R.Arun Kumar
For Respondent : Mr.S.A.Sayed Shahaib

ORDER

This Civil Revision Petition is directed against the fair and decreetal order dated 15.11.2018 passed in I.A.No.145 of 2017 in HMOP No.133 of 2016 by the Sub Court, Pollachi.

2. The petitioner is the husband. The learned Sub Judge, Pollachi, ordered monthly maintenance of Rs.1,500/- to the respondent / wife and Rs.2,000/- to the minor child, in total, a sum of Rs.3,500/- was awarded as monthly maintenance. Aggrieved over the same, the petitioner is before this Court.

3. A perusal of the evidence available before this Court below amply proves that the requirement of the respondent/wife for monthly maintenance for herself and her child would be around Rs.11,500/-. Yet, the Trial Court has ordered only Rs.3,500/- as monthly maintenance, as stated above. The present day consumer price index shows that even a Coolie gets around Rs.500 to Rs.700 per day. If that is taken into account, the award of maintenance is very meager. Therefore, I do not consider that the petitioner can claim reduction of monthly maintenance on account of his earning even though it is crystal clear that the respondent / wife requires more money to survive than which is awarded by the Trial Court. Therefore, this Court restrict itself only with dismissing this Civil Revision Petition. The petitioner is directed to pay monthly maintenance promptly on or before 10th of every succeeding month.

4. In fine, the Civil Revision Petition is dismissed. No costs.

Consequently, connected civil miscellaneous petition is closed.

08.07.2019

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

To

The Subordinate Judge
Subordinate Court
Pollachi.



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M.GOVINDARAJ, J.

TK



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