

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.09.2019

CORAM

The Honourable Mr.JUSTICE K.K.SASIDHARAN
and
The Honourable Mr.JUSTICE ABDUL QUDDHOSE

CMA.No. 3197 of 2019
and
CMP.No.18014 of 2019

J.ANJANAVANNAN .. appellant/Respondent/Respondent

Vs

G.P.MOHANAPRIYA ... respondent/Petitioner/Petitioner

Prayer: Civil Miscellaneous Petition is filed against the order passed on 19/06/2019 in IA No 4887 of 2018 in HMOP No 1026 of 2018 on the file of the I Additional Family Court, Chennai.

For Appellant : Mr.M.John Kennedy
for Mr.M.Hari

For Respondent : Mrs.B.S.Ajeetha

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

This Civil Miscellaneous Appeal is directed against the order dated 19.06.2019 in I.A.No.4887 of 2018 in HMOP.No.1026 of 2018 directing the appellant herein to pay interim maintenance to the respondent at the rate of Rs.15,000/- per month from 07.06.2018 with litigation expenses fixed at Rs.15,000/-.

2. The original petition in O.P.No.1026 of 2018 was instituted by the respondent herein to declare her marriage with the appellant as null and void.

3. The respondent also filed an application in I.A.No.4887 of 2018 for interim maintenance. The respondent also produced documents before the Trial Court to show that the appellant has been working as SAP Architect and he was employed at Hewlett Packard Enterprise, Taramani, Chennai.

4. The Trial Court found that the appellant was earning a sum of Rs.2,00,000/- per month as SAP Architect for DXC

Technology, Hewlett Packard Enterprise, Taramani, Chennai. The respondent was forced to quit her job at Dubai and presently she is not working.

5. The respondent claimed interim maintenance of Rs.75,000/- per month and Rs.25,000/- by way of litigation expenses.

6. The Trial Court on an over all view of the matter, fixed the interim maintenance at Rs.15,000/- per month. Similarly, a sum of Rs.15,000/- was fixed as litigation expenses.

7. We have perused the materials available on record.

8. We are of the view that the Trial Court has rightly exercised its discretion in fixing the interim maintenance at Rs.15,000/- per month with effect from 07.06.2018, besides litigation expenses, taking into account the employment of the appellant as SAP Architect for DXC Technology, Hewlett Packard Enterprise, Taramani, Chennai. We are therefore of the view that the order granting interim maintenance and litigation expenses does not call for interference.

09. The appellant is granted four (4) weeks time from today to pay the arrears of maintenance from 07.06.2018. He should pay the litigation expenses as fixed by the Trial Court. He should also continue to pay the interim maintenance at the rate of Rs.15,000/- in addition to the arrears of maintenance.

10. The Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mrn

To

1.The Presiding Judge

The I Additional Family Court, Chennai

+1cc to Mr.J.Saravanavel, Advocate SR.81403

+1cc to Mr.M.JohnKennady, Advocate SR.81770

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LN (CO)

CB (22/10/2019)