



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.M.A.NO.4595 OF 2019
AND C.M.P.NO.26069 OF 2019

R.Srivatsan

.. Appellant

vs.

P.Aratya

.. Respondent

Appeal filed under Section 19 of the Family Courts Act against the fair order dated 27.09.2019 passed in I.A.No.5682 of 2018 in O.P.No.2926 of 2017 by the V Additional Family Court, Chennai.

For Appellant : Mr.D.Saikumaran

For Respondent : Mr.C.K.Lavanyavath

JUDGMENT

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

This appeal is preferred by the appellant, who is the husband and the petitioner in O.P.No.2926 of 2017, which has been filed for divorce. Pending the aforesaid petition, the respondent filed an application for interim maintenance of Rs.25,000/- per month. The Family Court ordered Rs.15,000/- per month as interim maintenance. Challenging the same, the present appeal has been filed.

2.Learned counsel appearing for the appellant submitted that a sum of Rs.12 lakhs has been given by the appellant to the respondent even at the time of marriage. Now, he has got no means to support her. He is not gainfully employed in any place.

3.Learned counsel appearing for the respondent submitted that the appellant is working in hotel, though no document has been produced to support the same. The Family Court recorded the



fact that the appellant has submitted that he is working in an office. The amount given by the appellant is only for the marriage expenses.

4.The factum of marriage is not in dispute. Here is the case where the trouble started immediately after the marriage. Though the respondent sought for a sum of Rs.25,000/- as interim maintenance, the Court below awarded only Rs.15,000/-. In such view of the matter, no drastic deduction is possible. However, taking note of the fact as aforesaid that a sum of Rs.12 lakhs has been paid at the time of marriage coupled with the fact that the appellant is not employed in the same place in which he was working, we are inclined to reduce the same from Rs.15,000/- to Rs.12,000/- per month.

5.Accordingly, the Civil Miscellaneous Appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

6.Taking into consideration the fact that O.P.No.2926 of 2017 is pending from the year 2017 onwards, we direct the V 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 judgment.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mmi

To

The V Additional Principal Judge,
Family Court, Chennai.

Copy To
The Section Officer,
VR Section, High Court,
Madras-104.

+1cc to Mr.D.Saikumaran, Advocate, S.R.No.14789

C.M.A.No.4595 of 2019

SV(CO)
CS/08/01/2020