



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

CRP(MD).No. 1754 of 2011 and
MP(MD).No.1 of 2011

A.B.Natarajan

.. Petitioner/Respondent/petitioner

Vs.

1. S. Mala

2. Minor Dhanuvanth Adithya

(rep. by her mother 1st respondent) ... Respondent/ Petitioner/
Respondent

PRAYER: This Civil Revision Petition is filed against the fair and decretal order dated 30.04.2011 made in I.A.No.104 of 2010 in HMOP.No. 362 of 2008 on the file of III Additional Sub-Court, Madurai.

For Petitioner : Mr. Meenakshi Sundaram
for Mr.N.s. Balamurugan
For Respondents : Mr.M.R. Murugesan

ORDER

The revision petitioner, who is the husband, filed the present Civil Revision Petition challenging the order of maintenance granted by the III Additional Subordinate Judge, Madurai, in I.A.No. 104 of 2010 in HMOP.No. 362 of 2008. The learned Subordinate Judge has directed the petitioner to pay a sum of Rs.1,500/- and Rs.4,000/- per month to the first respondent / wife and second respondent / minor son respectively from 30.04.2011.

2. Mr. V. Meenakshi Sundaram, learned counsel who entered appearance on behalf of the petitioner, would submit that on 02.08.2018, this Court was pleased to grant divorce to the first petitioner and the same was confirmed by the Hon'ble Supreme Court in SLP.No. 3840 of 2019, dated 26.04.2019. He would, therefore, submit that the petitioner is not bound to pay the maintenance to the first petitioner / wife, after divorce.

3. Considering the fact that the marriage between the petitioner and the first respondent has been dissolved only on



02.08.2018, the petitioner shall comply with the order of the learned III Additional Subordinate Judge, Madurai in I.A.No. 104 of 2010 in HMOP.No. 362 of 2008, by paying a sum of Rs. 5,40,000/- towards arrears of maintenance from 30.04.2011 due to the respondents. The first respondent/ wife is entitled to maintenance from 30.04.2011 till the date of divorce i.e., on 02.08.2018, which works out to Rs.1,32,000/-. The second respondent / minor child is entitled to arrears of maintenance of Rs.4,08,000/- from 30.04.2011 to 30.09.2019. The said sum shall be paid to the respondents within a period of six weeks from the date of receipt of a copy of this order. This is without prejudice to the rights of the respondents to claim maintenance for the minor son.

4. The learned counsel appearing of the petitioner fairly submitted, on instructions, that he will continue to pay a sum of Rs.4,000/- to the minor son until further orders.

5. This Civil Revision Petition is disposed of on the above lines. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar(CS)

To

The III Additional Sub-Court, Madurai.

+1. C.C. to Mr.V.S.BALAMURUGAN Advocate SR.No.88732

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TRP

TK/15.10.2019/2P/3C