



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2019

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) (PD) . No.838 of 2019

and

C.M.P(MD) .No.5038 of 2019

V.Saravanan ... Petitioner/Respondent/Petitioner

-Vs-

B.Geetha ...Respondent/Petitioner/ Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order made in I.A.No.54 of 2018 in H.M.O.P.No.47 of 2017 dated 14.03.2019 on the file of the learned Sub Court, Aruppukkottai.

For Petitioner : Mr.Niranjan S.Kumar

O R D E R

This Civil Revision Petition has been filed against the fair and decreetal order made in I.A.No.54 of 2018 in H.M.O.P.No.47 of 2017 dated 14.03.2019 on the file of the learned Sub Court, Aruppukkottai.

2.The learned Counsel for the petitioner would state that the petitioner/husband has filed a petition in H.M.O.P.No.47 of 2017 against the respondent/wife on the ground of cruelty. Pending H.M.O.P.No.47 of 2017, the respondent/wife filed an interlocutory application in I.A.No.54 of 2018 for interim maintenance. After perusing the oral and documentary evidence, the learned trial Judge has directed the petitioner herein to pay a sum of Rs.4,500/- per month to the respondent herein as interim maintenance from the date of the petition till the disposal of the H.M.O.P. and also directed the petitioner to pay a sum of Rs.10,000/- towards litigation amount to the respondent herein. Aggrieved against the said order, the petitioner/husband is before this Court.

3. It is seen from the order of the learned trial Judge that though the petitioner/husband has stated that the respondent/wife is employed in a Garment Company, no document was filed by the petitioner to show that the respondent is having employment and she is able to maintain herself. Hence, the trial Judge found that the respondent is not able to maintain herself. It is further observed that though the petitioner herein had stated that he is drawing only Rs.10,000/-, Exhibit R1 shows that the Gross Salary of the



petitioner is Rs.24,235/- and finding that the petitioner has sufficient means to pay, ordered for reasonable maintenance.

4. In view of the above, the order passed by learned Subordinate Judge, Aruppukottai in I.A.No.54 of 2018 in H.M.O.P.MNo.47 of 2017 is reasonable and does not require any interference by this Court. Accordingly, this Civil Revision Petition is dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

5.It is brought to the notice of this Court that there was an earlier direction by this Court to dispose of the main H.M.O.P.No.47 of 2017 within a period of three months. Now, the learned counsel for the petitioner has stated that two months time has already been over. Due to the present circumstances and development of the case and also considering the submission made by the learned counsel for the petitioner, the learned Subordinate Judge, Aruppukottai is directed to dispose the case in H.M.O.P.No.47 of 2017 within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

msa

To,
The Subordinate Judge,
Aruppukotai.

+1CC TO MR.NIRANJAN S.KUMAR, Advocate Sr. No. 70395

C.R.P. (MD) (PD) No.838 of 2019
and
C.M.P (MD) .No.5038 of 2019
20.06.2019

NR (CO)
TR (16.07.2019) 2P 3C