

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

C.M.A.NO.344 OF 2020  
AND  
C.M.P.NO.2258 OF 2020

K.Govindasamy ... Appellant

vs.

K.Kalaivani ... Respondent

Appeal filed under Section 19 of the Family Courts Act against the order and decreetal order dated 01.11.2019 passed in I.A.No.685 of 2019 in H.M.O.P.No.118 of 2019 on the file of Family Court, Cuddalore.

For Appellant : Mr.M.Gnanasekar

JUDGMENT  
(Delivered by M.M.SUNDRESH, J.)

This appeal has been preferred by the appellant, who is the husband of the respondent, aggrieved over the interim maintenance ordered by the Family Court, directing the appellant to pay a sum of Rs.5,000/- per month from the date of filing of the petition.

2.Learned counsel appearing for the appellant submitted that the appellant does not have sufficient income as against the respondent. The respondent is gainfully employed and the appellant has not lived with her even for a single day. Therefore, the order of the Family Court requires interference.

3.We do not find any reason to interfere with the order impugned in this appeal. The Family Court, considering the relevant materials, passed an order, directing the appellant to pay a sum of Rs.5,000/- per month as interim maintenance. It is the appellant, who filed a petition for divorce and pending the divorce petition, the respondent filed an application seeking interim maintenance. Though a sum of Rs.25,000/- has been sought for, only a sum of Rs.5,000/- has been ordered. The respondent

is working and earning Rs.8,000/- per month has also been taken note of by the Family Court while passing the order.

4.In such view of the matter, we do not find any reason to interfere with the order passed by the Family Court. Accordingly, the Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

5.Taking into consideration the facts of the case, we direct the Family Court, Cuddalore to dispose of H.M.O.P.No.118 of 2019 within a period of six months from the date of receipt of a copy of this judgment.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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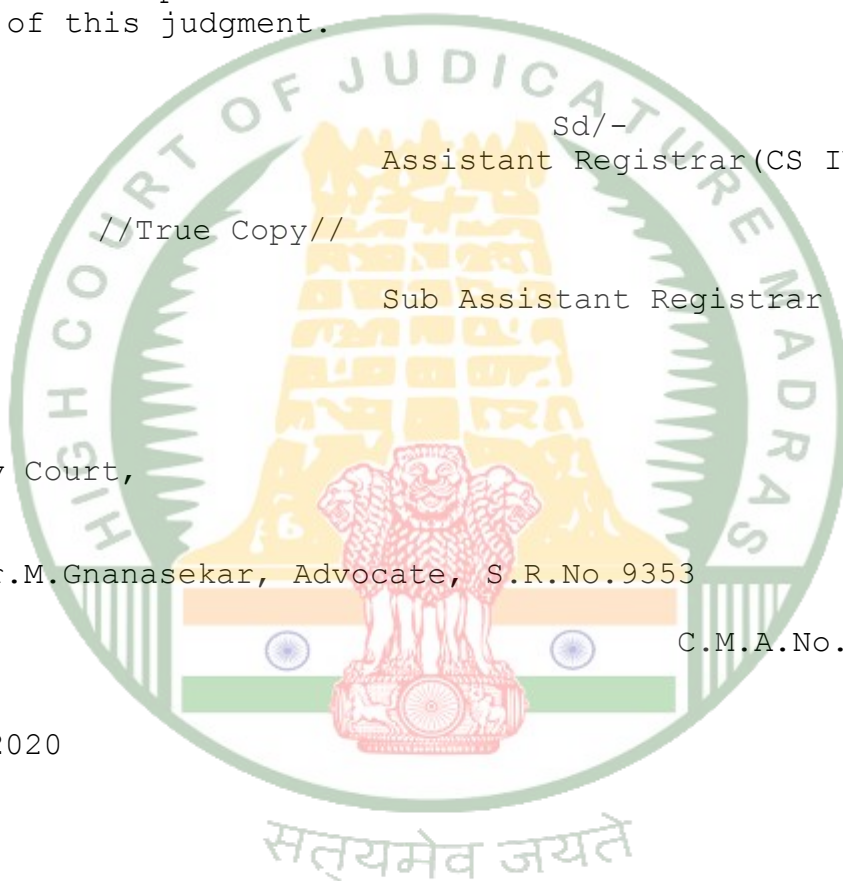
To

The Family Court,  
Cuddalore.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No.9353

C.M.A.No.344 of 2020

NRL (CO)  
CS/11/03/2020



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