

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM

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

C.M.A.No.658 of 2020
and C.M.P.No.3920 of 2020

Dr.T.Sriram Thirugnanam ... Appellant/Respondent

Vs.

Dr.B.Anuradha ... Respondent/Petitioner

Appeal filed under Section 19 of the Family Courts Act against the order dated 01.11.2019 in I.A.No.1 of 2019 in H.M.O.P.No.2305 of 2019 on the file of the VI Additional Principal Family Judge, Chennai.

For Appellant ... Mr.C.A.Diwakar
for Mr.P.Bakiyaraj

For Respondent .. Mr.K.P.Sathishkumar

JUDGMENT

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

This appeal is preferred against the order of interim maintenance awarded by the Family Court, by which, interim maintenance of Rs.75,000/- per month for the educational expenses and maintenance of the children has been ordered.

2.Learned counsel appearing for the appellant contended that the appellant, though qualified, is already taking care of the educational expenses of the children apart from the other expenses such as transport and medical. Learned counsel also submitted that as of now, the appellant is spending about Rs.40,000/- for the children. Therefore, appropriate orders will have to be passed. It is further submitted that the respondent is also a qualified doctor and hence she should also share the responsibility. Hence the order has to be modified accordingly.

3.Learned counsel appearing for the respondent submitted that the appellant is highly qualified post graduate Dentist. He has got sufficient means to pay the amount as ordered by the Family Court. The Family Court did not order any amount for the maintenance of the respondent. Therefore, no interference is required.

4.The status and the profession of the parties being doctors are not in dispute. The children are admittedly studying in the convent. It appears that the appellant is also paying the educational expenses of the children. Thus, considering the above and particularly by taking into consideration the fact that the respondent is also a doctor by profession, we are inclined to modify the amount of Rs.75,000/- to Rs.50,000/- per month payable towards maintenance of the children. We make it clear that hence forth the appellant is not required to make any payment for the maintenance of the children except the amount awarded by us in this appeal.

5.With the above modification, the Civil Miscellaneous Appeal is allowed in part. No costs. Consequently, connected miscellaneous petition is closed.

6.Taking into consideration the facts and circumstances of the case, we direct the VI Additional Family Court, Chennai to dispose of H.M.O.P.No.2305 of 2019 within a period of six months from the date of receipt of a copy of this judgment.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

mmi

To

The VI Additional Family Court,
Chennai.

+1cc to Mr.P.Bakiyaraj, Advocate SR.No.14456

+1cc to M/s.OJAS Law Firm, Advocate SR.No.14799

C.M.A.No.658 of 2020

BS (CO)
GMY (28/02/2020)