



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2020

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) No. 342 of 2016

and

C.M.P. (MD) No. 1466 of 2016

S.Senthil

... Petitioner/Respondent

vs.

S. Pavithra

... Respondent/Petitioner

PRAYER : Petition filed under Article 227 of Constitution of India, to set aside the Fair and Decreetal Order passed in I.A. No.45 of 2014 in HMOP No. 3 of 2014 on the file of the Sub Court, Virudhunagar, dated 12.10.2015.

For Petitioner : Mr. M. Ashokkumar
For Respondent : Mr.G. Marimuthu

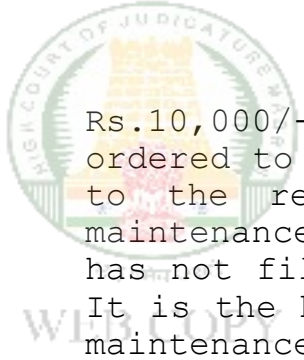
ORDER

This petition has been filed to set aside the Fair and Decreetal Order passed in I.A. No.45 of 2014 in HMOP No. 3 of 2014 on the file of the Sub Court, Virudhunagar, dated 12.10.2015.

2. The learned counsel appearing for the revision petitioner would submit that the respondent herein has filed a petition in I.A. No. 45 of 2014 in HMOP No. 3 of 2014 under Section 24 of Hindu Marriage Act seeking interim maintenance of Rs.30,000/-p.m., for herself and her minor daughter from the date of main petition and the same was allowed on 12.10.2015 and the revision petitioner was directed to pay interim maintenance for a sum of Rs.10,000/-totally to the respondent herein and her minor daughter. Against the said order, this Civil Revision Petition has been filed.

3. The learned counsel appearing for the respondent would submit that the revision petitioner herein has filed a petition in HMOP No.3 of 2014 seeking divorce. He would further submit that the respondent and her minor daughter who is aged about 4 years is residing with her parents He would further submit that the revision petitioner is working in TATA Technology Company in Pune as a Design Engineer and earning Rs.1 lakh as monthly salary. Hence, he prayed for dismissal of the Civil Revision Petition.

4. Considering the facts, I.A. No.45 of 2014 has been filed by the respondent herein only for interim maintenance. Eventhough, the petitioner prayed Rs.30,000/-per month for the respondent herein and



Rs.10,000/-per month to her minor daughter, the Court below has ordered to pay Rs.5000/-per month each, totally a sum of Rs.10,000/- to the respondent herein and her minor daughter. The interim maintenance is very reasonable one. The revision petitioner herein has not filed any document to prove that his income is very meagre. It is the bounden duty of the revision petitioner is to pay interim maintenance to his wife and minor daughter. The said HMOP No.3 of 20114 is also disposed. Hence, the Civil Revision Petition is liable to be dismissed.

5. In the result, the Civil Revision Petition stands dismissed with Costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

1. The Sub Judge, Virudhunagar.
2. The Section Officer, (2 copies)
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s. G.M. Law Office, Sr.No.25832

Order made in
C.R.P. (MD) No. 342 of 2016
15.12.2020

VB (08.01.2021) 2P 5C