

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

C O R A M

THE HON'BLE MR. JUSTICE **KRISHNAN RAMASAMY**

C.R.P.(PD)No.1027 of 2018
and
CMP No.5432 of 2018

Venkatesh Petitioner

Vs

Lavanya Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, prayed to set aside the fair and decreetal order dated 21.12.2017 passed in I.A.No.72 of 2017 in H.M.O.P.No.182 of 2016 on the file of Subordinate Judge, Ponneri and allow the same.

For Petitioner : Mr.K.Elango

For Respondent : G.Thangavel

ORDER

Challenging the fair and decreetal order passed in I.A.No.72 of 2017 in HMOP No.182 of 2016 on the file of Subordinate Court, Ponneri, the husband filed the the above revision.

2. When the matter was taken up on 12.02.2021, after hearing both sides,

this Court has fixed a sum of Rs.9,000/-(Rupees Nine thousand only) per month as interim maintenance and both sides counsel fairly agreed for the same and the respondent/wife is directed to calculate the total amount due from the date of filing of the maintenance petition to till date.

3. Today, when the matter is taken up for hearing., both sides filed Calculation Memo.

4.Learned counsel for the respondent/wife submitted that out of total amount of arrears of maintenance of Rs.4,41,000/-(Four lakhs forty one thousand only), an amount of Rs.1,20,000/-(Rupees one lakh twenty thousand only) was paid by the petitioner/husband by way of Demand Draft No.695201 dated 03.02.2021 drawn on Canara Bank and the petitioner/husband is liable to pay the balance amount of arrears of maintenance of Rs.3,21,000/-(Rupees three lakhs twenty one thousand only).

5.In view of the above submission, the balance amount of interim maintenance of Rs.3,21,000/-(Rupees three lakhs twenty one thousand only) shall be paid in three monthly instalments from today in the manner stated

below:-

Rs.1,00,000/- on or before 15.03.2021
Rs.1,00,000/- on or before 15.04.2021 and
Rs.1,21,000/- on or before 17.05.2021

6. If the revision petitioner fails to comply with the above condition, he is directed to pay a sum of Rs.15,000/- to the respondent/wife as interim maintenance as awarded by Court below until disposal of HMOP No.182 of 2016.

7. At this juncture, learned counsel for the petitioner/husband submitted that the matter may be referred to mediation. This Court is of the view that the petitioner can make the said submission before the Court below and in such event, the Court below can consider the same.

8. In view of the above, no further order is required in this civil revision petition. Since the matter is pending from 2017 onwards, this Court directs the Subordinate Judge, Ponneri to dispose of HMOP No.182 of 2016 within a period of six months from the date of receipt of a copy of this order. Accordingly, the Civil Revision Petition is disposed of.

9. It is made clear that the petitioner/husband has paid interim maintenance of a sum of Rs.9,000/-(Rupees nine thousand only) for the month of February,2021. The petitioner/husband is directed to pay a sum of Rs.9,000/- (Rupees nine thousand only) per month on or before 5th day of every succeeding English Calendar month, commencing from March, 2021. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2021

Index: Yes/No
Speaking order/Non-speaking order

sr

To

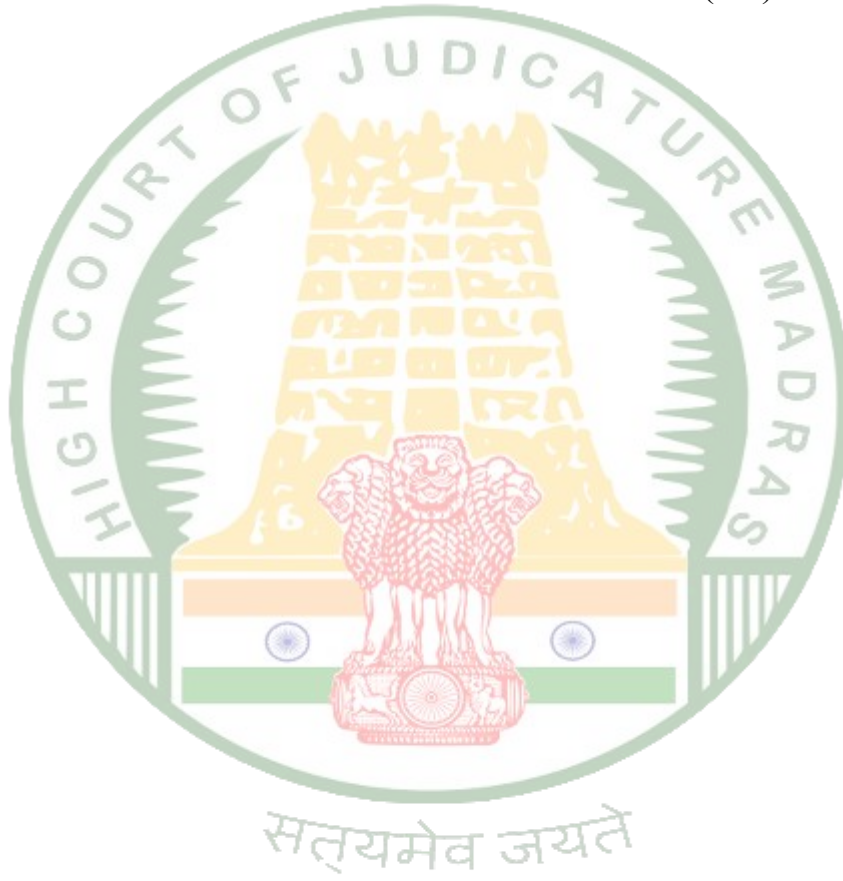
The Subordinate Court, Ponneri,
Thiruvallur District.

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KRISHNAN RAMASAMY,J.

sr

CRP (PD) No.1027 of 2018



16.02.2021

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