

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.(PD).No. 3160 of 2016

and

C.M.P.No. 16040 of 2016

Janapathy Christo Prakash

... Petitioner

Vs.

P.Vimala Devi Pandurangan

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the fair and final order dated 01.06.2016 in I.A.No.178 of 2013 in I.D.O.P.No.162 of 2011 passed by the Court of Principal District Judge, Kancheepuram District at Chengalpattu.

For Petitioner : Ms.A.Jasline

For Respondent : No Appearance

ORDER

This Civil Revision Petition is directed as against fair and final order dated 01.06.2016 in I.A.No.178 of 2013 in I.D.O.P.No.162 of 2011 on the file of the learned Principal District Judge, Kancheepuram District at

Chengalpattu, thereby directed the petitioner to pay a sum of Rs.5,000/- per month for interim maintenance from the date of filing of the petition.

2. The petitioner/husband, who got married the respondent herein on 08.06.2011. Thereafter, without any reason she left the matrimonial home on 18.06.2011 itself. Thereafter, she had gone to Saudi Arabia and she working as a Staff Nurse and she is earning huge salary to lead the luxurious life. The petitioner is a driver. The divorce petition is still pending since the respondent had gone to aboard. Though the petitioner possessed MBA degree, he was working as a driver and drawing a very meagre salary. Further, the Court below directed the petitioner to pay a sum of Rs.5,000/- per month for interim maintenance from the date of filing of the petition.

3. It is also seen that the respondent also received household articles and also the cithana articles in front of the Inspector of Police, Otteri Police Station and the same was marked as Ex.R2. The Petitioner was produced Ex.R1 to prove the respondent had gone to Saudi Arabia and she is not in India.

4. Considering the above facts, the order passed by the Court below is set aside. Accordingly, the Civil Revision Petition is allowed. The Court below is directed to dispose of the main divorce petition in I.D.O.P.No.162 of 2011 on the file of the Principal District Judge at Chengalpattu within a period of six months from the date of receipt of a copy of this order. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

08.02.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

dm

To

The Principal District Judge,
Kancheepuram District at Chengalpattu.



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G.K.ILANTHIRAIYAN,J.

dm



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