



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24771 of 2021

Arun Abraham

... Petitioner

Vs.

Steffi Selvamary R

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned order of the Lok Adalat in OP.No.1998 of 2020 on the file of the Hon'ble II Additional Family Court, Chennai, dated 12.12.2020 and quash the same.

For Petitioner : Ms.N.Devi

For Respondent : Mr.T.Seenivasan

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records relating to the impugned order of the Lok Adalat in OP.No.1998 of 2020 on the file of the learned II Additional Family Court, Chennai, dated 12.12.2020 and to quash the same.

2.The case of the petitioner is that the petitioner is the husband of the respondent and they were blessed with two children. There was matrimonial dispute inbetween them for which the respondent wife filed IDOP before the II Additional Family Court, under the Indian Divorce Act and also filed I.A.No.3 of 2021 for interim maintenance. The said interlocutory application was referred to Lok Adalat. However, the petitioner allege that the Lok Adalat without obtaining consent from the petitioner passed award in favour of the respondent directing him to pay a sum of Rs.20,000/- as monthly maintenance to the respondent. Challenging the same, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner would submit that though the Lok Adalat order relates to interim



maintenance in favour of the respondent, main IDOP is pending on the file of the II Additional Family Court and would further submit that the petitioner is ready and willing to pay a sum of Rs.15,000/- to the respondent on or

before 5th of every English Calender Month till the disposal of the IDOP pending on the file of the II Additional Family Court, hence, this Court may grant liberty to the petitioner to canvass all the issues before the II Additional Family Court where the main IDOP is pending.

4.The learned counsel appearing for the respondent, on instructions, would submit that the respondent agree to receive a sum of Rs.15,000/- per month as interim maintenance and would further submit that the respondent will agitate the issue in the main IDOP at the time of final hearing.

5.In view of the consent view expressed by the learned counsel appearing on either side, the Lok Adalat order passed in OP.No.1998 of 2020 by the learned II Additional Family Court, Chennai, on 12.12.2020 is modified to the extent that the petitioner is directed to pay a sum of Rs.15,000/-, on or before 5th of every English Calender Month, to the respondent. The petitioner as well as the respondent are directed to canvass all the issues before the II Additional Family Court in the main IDOP.

6.With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

The II Additional Family Court, Chennai.

+1cc to M/s.N.Devi, Advocate, S.R.No.63944

W.P.No.24771 of 2021

PM(CO)
SB(06/12/2021)