

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRP(PD).No.1465 of 2017

Yuvarani,
W/o.Hemasudhakar

... Petitioner

Vs.

G.Hemasudhakar
S/o.Late. Govindaraj

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 22.02.2017 made in I.A.No.14 of 2015 in HMOP No.58 of 2014 on the file of the learned Subordinate Judge, Madurantakam by enhancing the quantum of maintenance amount payable to the petitioner.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.K.Goviganesan

ORDER

This Civil Revision Petition is directed as against the order dated 22.02.2017 made in I.A.No.14 of 2015 in HMOP No.58 of 2014 on the file of the learned Subordinate Judge, Madurantakam, thereby, directing the respondent to pay the monthly maintenance of Rs.6,000/- to the petitioner and her minor daughter as interim maintenance till the disposal of the divorce petition.

2. The petitioner is the wife and the respondent is the husband. The respondent filed a petition in HMOP No.58 of 2014 pending on the file of the Subordinate Court, Madurantakam, seeking for divorce on the ground of cruelty and desertion. Pending the divorce petition, the petitioner filed a petition seeking for interim maintenance claiming a sum of Rs.30,000/- p.m. towards shelter, clothing and food for the petitioner and a sum of Rs.50,000/- p.a. for the child's educational fees and travelling expenses.

3. According to the petitioner, due to wedlock between the petitioner and the respondent, she gave birth to a female child. She is studying in St. Thomas Matriculation Higher Secondary School, Broadway. The

educational expenditure comes to Rs.40,000/- p.a. She further submitted that the respondent is working in a Multinational Company and he is drawing a salary of Rs.2 lakhs p.m. Therefore, the present petition has been filed seeking to enhance the maintenance amount payable to the petitioner.

4. Per contra, Mr.K.Goviganesan, learned counsel for the respondent filed a counter stating that he is working in Private Company and totally he is drawing a sum of Rs.34,776/- p.m. including all allowances. He further stated that he obtained a housing loan of Rs.6 lakhs and also availed a jewel loan of Rs.20,000/-. Therefore, he has to pay monthly instalments for obtaining those loans. Considering the facts and circumstances of the case, the court below ordered monthly maintenance of Rs.5,000/- payable by the respondent to the petitioner and a sum of Rs.1,000/- to his daughter, till the disposal of the divorce petition.

5. It seems that the Court below has rightly awarded the maintenance amount and this Court finds no infirmity or illegality in the order passed by the Court below.

6. Accordingly, this Civil Revision Petition is dismissed. However, the court below is directed to dispose of H.M.O.P.No.58 of 2014 within a period of six months from the date of receipt of a copy of this order. No costs.

30.03.2021

Speaking/Non-speaking order
Index : Yes/No
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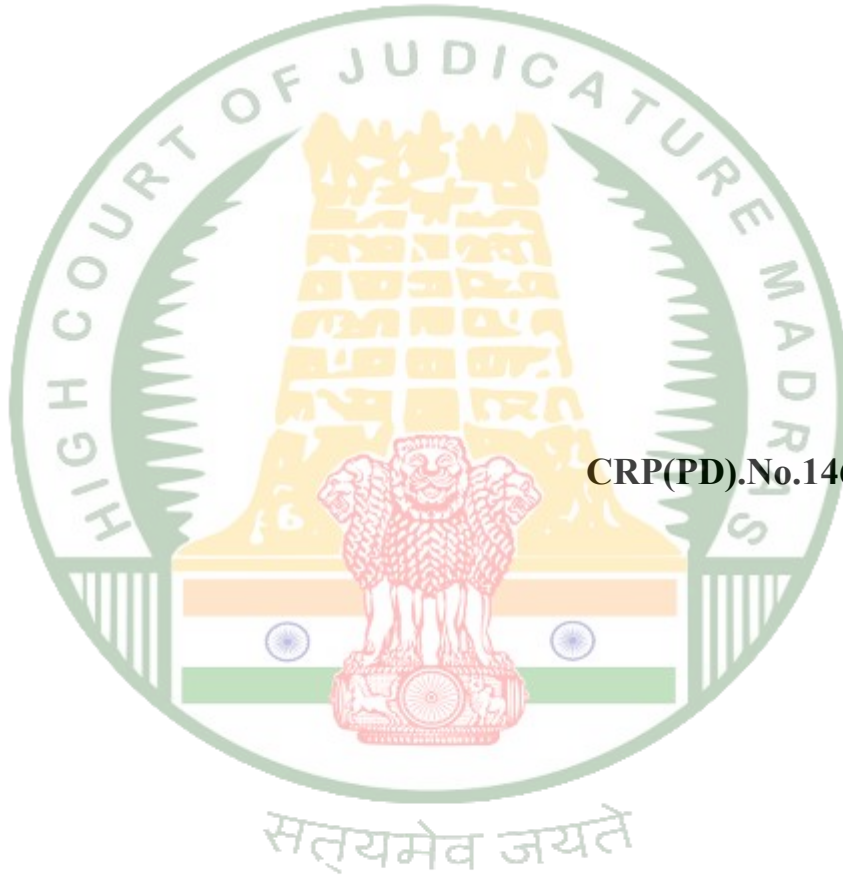
The Subordinate Judge,
Madurantakam.



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G.K.ILANTHIRAIYAN,J.

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