

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2021

C O R A M

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

C.R.P.(PD)No.3716 of 2018
and C.M.P.No.20646 of 2018

Kuppannan,
S/o.Sivaloga Mudaliar

...Petitioner

Vs

Santhamani
W/o.Kuppannan

... Respondent

Prayer Civil Revision Petition filed under Article 227 of the Constitution of India, prayed to set aside the fair and decreetal order dated 12.12.2017 made in I.A.No.36 of 2017 in H.M.O.P.No.40 of 2015 (old H.M.O.P.No.280 of 2015 – Sub Court, Tirupur) on the file of the learned Sub Court, Avinashi by allowing this Civil Revision Petition.

For Petitioner : Mr.N.Manoharan

For Respondent : Mr.V.Vijaya Kumar

ORDER

The learned counsel for the respondent submitted that the H.M.O.P.No.40 of 2015 is dismissed and the present Civil Revision Petition has become infructuous.

2.The present Revision Petition has been filed against the interim maintenance awarded in I.A.No.36 of 2017. The relevant portion of the order is extracted hereunder:

“In the result, this petition seeking maintenance pendente lite is allowed and

(i)The respondent is directed to pay Rs.5000/- per month towards Interim maintenance to the petitioner his wife;

(ii)The respondent is directed to pay the interim maintenance for the petitioner from the date of interim maintenance application i.e., 22.02.2017;

(iii)The respondent is also directed to pay Rs.7,000/- towards the litigation expenses of the petitioner his wife;

(iv)Considering the relationship of both parties they are directed to bear their own cost.”

3.The learned counsel for the petitioner admitted the fact that the H.M.O.P was dismissed for default and submitted that the petitioner has filed the petition for restoration of H.M.O.P and seeks liberty.

4. Recording the submissions made by the learned counsel for the petitioner as well as the respondent, this Civil Revision Petition is dismissed as infructuous with liberty to the both the parties. No cost. Consequently, connected miscellaneous petition is closed.

07.01.2021

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

rst

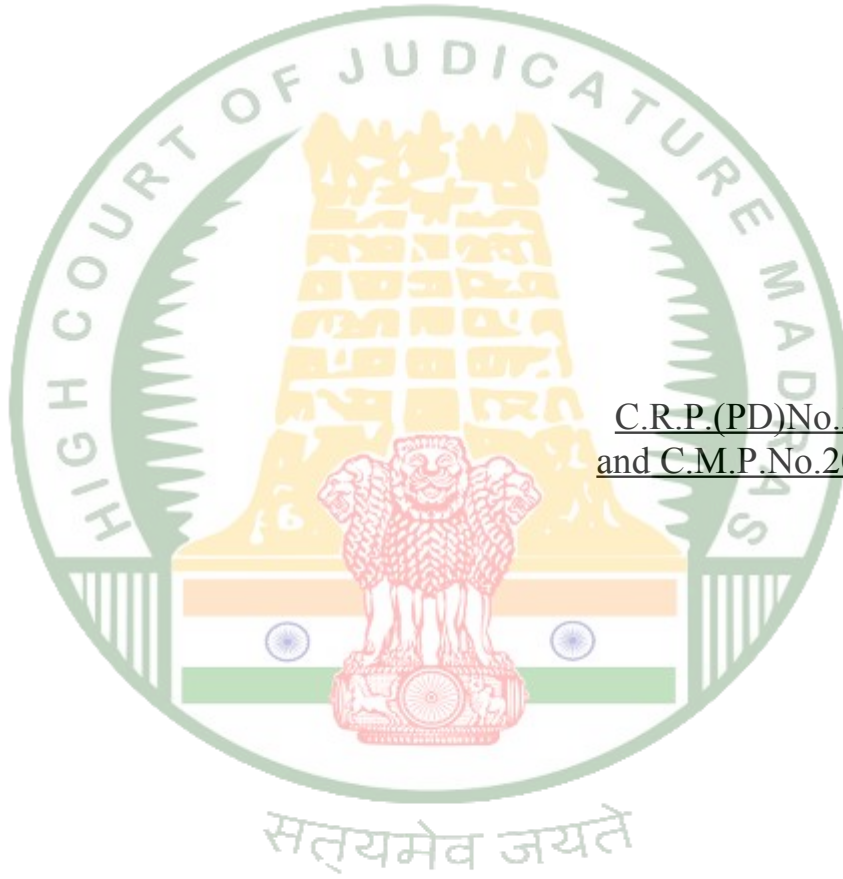
To:
The Sub Judge, Avinashi.



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KRISHNAN RAMASAMY,J.

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