

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRP (PD).No.3399 of 2018

and

CMP.No.19180 of 2020

Ravi

... Petitioner

Vs.

1. Devi

2. R.Krishraghave

3. R.Lakshnasree

[2 and 3rd respondents are minor children represented
by her guardian mother Devi]

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order made in I.A.No.177 of 2016 in H.M.O.P.No.4 of 2013 dated 26.06.2018 on the file of the Subordinate Court, Tambaram.

For Petitioner : Mr.V.Perarasu

For Respondents : Not Ready in Notice
(No Appearance)

ORDER

This Civil Revision Petition is filed as against the fair and decretal order passed in I.A.No.177 of 2016 in H.M.O.P.No.4 of 2013 dated 26.06.2018 on the file of the learned Subordinate Judge, Tambaram, thereby ordering interim maintenance till the disposal of the divorce petition.

2. The petitioner is the husband and the first respondent is the wife. They got married on 07.05.2009 and due to their wedlock they gave birth to children viz., respondents 2 and 3. Due to misunderstanding between them, they got separated and the petitioner filed a petition for divorce on the ground of cruelty. While pending the divorce petition, the respondents herein filed a petition under Section 24 of the Hindu Marriage Act, 1955 seeking interim maintenance for a sum of Rs.5,000/- to each of the respondents herein.

3. On a perusal of the records, it reveals that the petitioner is working as conductor in the Chennai Metro Transport Corporation and he is drawing reasonable salary. The petitioner being the husband, he is duty bound to

maintain his wife and children. Therefore, the Court below ordered only Rs.10,000/- as interim maintenance for all the three respondents herein commonly till the disposal of the main petition. Therefore, this Court finds no infirmity or illegality in the order passed by the Trial Court.

4. Accordingly, this Civil Revision Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

20.07.2021

Speaking/Non-speaking order

Index : Yes/No

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To

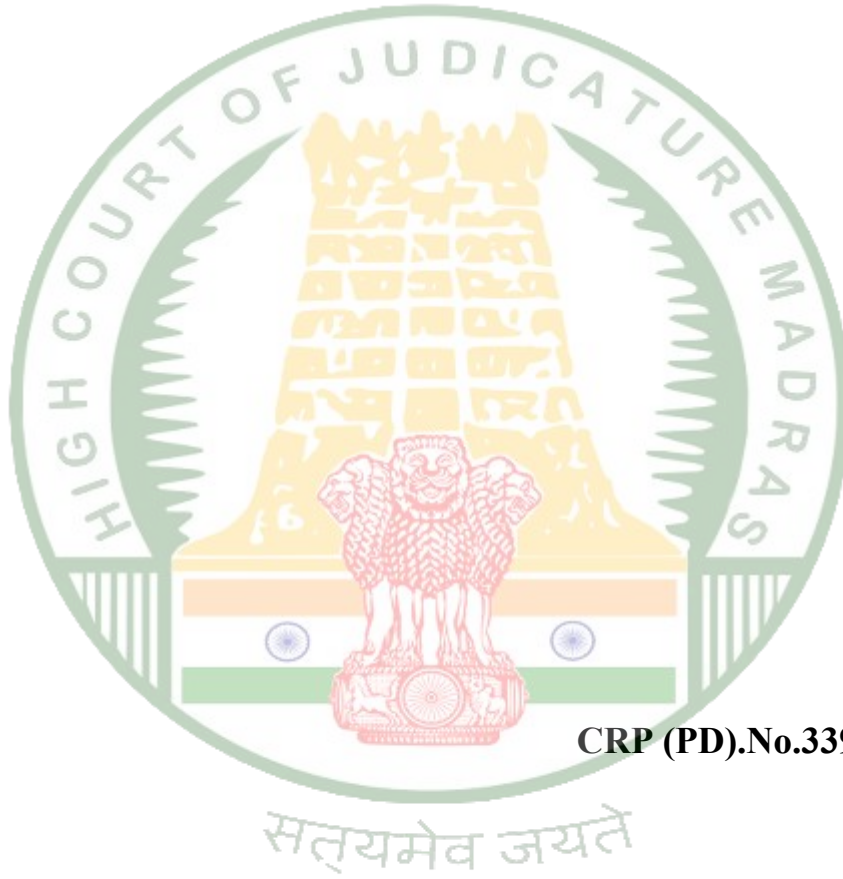
1. The Subordinate Judge, Tambaram.
2. The Section Officer,
V.R. Section, High Court of Madras.

सत्यमेव जयते

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G.K.ILANTHIRAIYAN,J.

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