

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2021

CORAM

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

C.R.P.PD.No.4098 of 2018

Sellam

... Petitioner

Vs.

Arulmani

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decretal order dated 21.12.2017 in I.A.No.88 of 2017 in H.M.O.P.No.185 of 2016 order on the file of the Principal Subordinate Judge, Vridhachalam, Cuddalore District and allow the present Civil Revision Petition as prayed for.

For Petitioner : M/s.A.L.Ganthimathi

For Respondent : Notice Served (No Appearance)

ORDER

This Civil Revision Petition is filed against the fair and final order passed in I.A.No.88 of 2017 in H.M.O.P.No.185 of 2016 dated 21.12.2017 on the file of the learned Principal Subordinate Judge, Vridhachalam, Cuddalore District.

2. Already, this Court in C.R.P (PD) No.2172 of 2018 passed an order dated 30.04.2021 dismissed and confirmed the order passed by the Trial Court. This Civil Revision Petition relates to the very same issue raised in C.R.P (PD) No.2172 of 2018. It would be useful here to refer to the order dated 30.04.2021, which is extracted hereunder:-

“2. The petitioner is the husband and the respondent is the wife. The petitioner filed petition for divorce on the ground of cruelty. While pending the divorce petition, the respondent filed petition for interim maintenance till the disposal of the suit. On perusal of the affidavit filed in support of the interim maintenance, the respondent stated that due to wedlock between the petitioner and the respondent, they gave birth to a male child. Without any reason, the petitioner deserted them and the respondent was driven out from matrimonial home. Further stated that the petitioner is working under Tamil Nadu State Transport Corporation and he is drawing salary of Rs.25,000/- per month. Considering the same, the court below ordered a sum of Rs.5,000/- per month as interim maintenance payable by the petitioner towards interim maintenance till the disposal of the main divorce petition. Aggrieved by the same, the petitioner preferred this civil revision petition.

3. It is seen that the court below ordered only a sum of Rs.5,000/- per month as interim maintenance, that too for

respondent and her minor child. Therefore, the interim maintenance is very meagre and the order of the court below does not require any interference by this Court.

4. In view of the above discussion, this civil revision petition is dismissed. However, the trial court is directed to dispose of the main petition for divorce within a period of six months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed. No order as to costs.”

3. In view of the aforesaid order dated 30.04.2021, this Court is not inclined to interfere with the order passed by the Trial Court.

4. Accordingly, this Civil Revision Petition is dismissed. No costs.

16.07.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

1. The Principal Subordinate Judge, Vridhachalam,
Cuddalore District.

2. The Section Officer,
V.R.Section, High Court of Madras.

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G.K.ILANTHIRAIYAN,J.

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