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C.R.P.(PD).No.1499 of 2022 and
C.M.P.No.7647 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

C.R.P (PD).No.1499 of 2022 and
C.M.P.No.7647 of 2022

T.Haridass Kumar

... Petitioner

Vs.

1.S.Pavalakkodi

2.Minor.Lakshminarasimman

Rep. by his mother, the first respondent

... Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order and decree in I.A.No.10 of 2018 in H.M.O.P.No.39 of 2017, on the file of the Sub Court, Pollachi dated 11.11.2021.

For Petitioner : Mr.A.Nilesh Ram for
M/s.K.M.Vijayan Associates

ORDER

This civil revision petition has been preferred against the order and decree in I.A.No.10 of 2018 in H.M.O.P.No.39 of 2017, on the file of the Sub Court, Pollachi dated 11.11.2021.



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2. Heard the learned counsel for the petitioner.

3. The revision petitioner/husband has filed HMOP No.39 of 2017, for dissolution of marriage. During the pendency of the proceedings, the respondents have filed a petition in I.A.No.10 of 2018, for claiming interim maintenance. The said petition was allowed and a sum of Rs.5,000/- per month to the first respondent, Rs.2,000/- per month to the second respondent, has been fixed as an interim maintenance. Aggrieved over that, the revision petitioner has preferred this civil revision petition.

4. The core contention of the learned counsel for the revision petitioner is that the relief of interim maintenance can be granted only when the wife is not able to maintain herself. He further submitted that the first respondent is an advocate by profession and she has income of her own.

5. The said HMOP was pending from the year 2017. It is needless to state that every profession including the legal practice is affected due to Covid-19. Further, it is not known whether the first respondent is an actively practicing advocate and she earns money to maintain herself and her minor son. Even if the wife earns income and if her income is not sufficient to



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maintain the family comprising the respondents suiting to their status in which they were put up in life, the petitioner has got the duty to maintain the respondents by giving some financial support.

6. The learned Trial Judge has observed that the revision petitioner is an employer in a private concern named Human Care Consultancy, at the time of passing of the order. Since the learned Trial Judge has taken into consideration of the status of the parties and cost of living and all other essentials, passed the impugned order dated 11.11.2021.

7. I find no reason for interference in the order passed by the learned Trial Judge. Accordingly, this civil revision petition stands dismissed. However, taking into consideration of the long pendency of the matter, a direction may be given to the learned Trial Judge to dispose the main proceedings itself as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Index: Yes/No
Speaking / Non Speaking Order
gsk

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R.N.MANJULA, J

gsk

To
The Sub Court,
Pollachi.

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