



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Civil Appellate Jurisdiction )

Wednesday, the Twenty Third day of March Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HON`BLE MR.JUSTICE V.SIVAGNANAM

C.M.P.No.11225 of 2018

in C.M.A.SR.No.46196 of 2018

CHANDRAN  
S/O SHANMUGAM  
RESIDING AT NO 5,  
VINAYAGAR KOIL STREET,  
PORAIYUR VILLIANUR POST,  
PONDICHERRY

[ PETITIONER ]

Vs

MRS SRIDEVI  
W/O CHANDRAN  
RESIDING AT NO 43 MAIN ROAD,  
GOPALAN KADAI, OULGARET POST,  
PUDUCHERRY - 605 010.

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 70 days in filing the present CMA against the order dated 5/3/2018 made in MOP No. 235 2008 on the file of the Family court Puducherry, at present and pass such further or other orders as this Honourable court may deem fit and proper in the circumstances of the case [IN C.M.P.No.11225 of 2018 ]

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.KRISHNAMOORTHY, Advocate for the petitioner and of M/S.L.LAKSHMI SWAROOPA, Advocate on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by K.KALYANASUNDARAM, J.)

This petition has been filed for condoning the delay of 70 days in preferring the appeal against the order passed in M.O.P.No.235 of 2008 dated 05.03.2008 by the learned District Judge, Family Court, Puducherry.



2. The petitioner is the husband of the respondent. He filed the Original Petition for divorce. It appears that pending M.O.P.No.235 of 2008, the respondent filed interim application under Section 24 of the Hindu Marriage Act, seeking interim maintenance for her and for the educational expenses of her daughter.

3. The Trial Court has also passed orders in favour of the respondent.

4. The learned counsel appearing for the respondent would state that as per the order passed in the interim application, the respondent was liable to pay a total sum of Rs.6,10,447/- (Rupees Six Lakhs Ten Thousand Four Hundred and Forty Seven Only) but he has paid only a sum of Rs.1,71,500/- and the balance amount of Rs.4,38,947/- has not been paid by the petitioner/husband.

5. The learned counsel for the respondent would submit that since the respondent is unemployed, she is not able to provide education to her daughter.

6. The learned counsel appearing for the petitioner would state that originally the petitioner was working as a Manager in a Private Company but now he is unemployed. However, considering the facts and circumstances of this case, we allow this petition and condone the delay, on condition that the petitioner shall pay a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the respondent/wife within a period of six weeks, failing which this petition will be dismissed automatically, without further reference to this Court.

-sd/-

23/03/2022

/ TRUE COPY /

Sub-Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

THE JUDGE,  
FAMILY COURT,  
PUDUCHERRY



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THE ASSISTANT REGISTRAR,  
AE SECTION, HIGH COURT,  
CHENNAI 104

Order  
in  
C.M.P.No.11225 of 2018  
in C.M.A.SR.No.46196 of 2018

Date :23/03/2022

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