



C.M.A.No.2570 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

C.M.A.No.2570 of 2017

A.Jothi

.. Appellant

Vs.

Dhanuja @ Dhanam

.. Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 19 of the Family Courts Act, 1984, against the order and decree dated 24.02.2016 made in I.A.No.30 of 2014 in H.M.O.P.No.110 of 2014 on the file of the Family Court, Villupuram.

For Appellant : Mr.D.Vasanth
for M/s. N.Suresh

For Respondent : Mr.S.John Josh
for M/s.R.Muniyapparaj



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J U D G M E N T

(Judgment of the Court was delivered by V.M.VELUMANI, J.)

The appellant/husband filed H.M.O.P.No.110 of 2014 under Section 13(1) (i-a) (i-b) of the Hindu Marriage Act, on the file of the Family Court, Villupuram, for dissolution of marriage solemnized between the appellant and respondent on 05.07.2000. The respondent/wife filed I.A.No.30 of 2014 in H.M.O.P.No.110 of 2014 on the file of Family Court, Villupuram, for a direction to the appellant/husband to pay a sum of Rs.30,000/- for the respondent/wife Rs.10,000/- for the minor son, Rs.10,000/- towards house rent per month as interim maintenance and a sum of Rs.10,000/- towards litigation expenses. The learned Judge, by order dated 24.02.2016 made in I.A.No.30 of 2014 in H.M.O.P.No.110 of 2014, directed the appellant/husband to pay a sum of Rs.15,000/- (Rs.7,500/- each to the wife and minor son) per month towards interim maintenance from the date of the application viz., 05.08.2014 till the date of disposal of H.M.O.P. and Rs.5,000/- towards litigation expenses. Challenging the said order and decree, the appellant/husband has come out with the



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present appeal.

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2. When the appeal is taken up for hearing today, both the appellant and respondent appeared before this Court. The appellant and learned counsel appearing for the appellant submitted that the appellant is ready to pay the interim maintenance at the rate of Rs.7,500/- per month till the disposal of the H.M.O.P. along with arrears of interim maintenance as on today, which comes to Rs.4,00,000/- within a period of two weeks. The respondent, without prejudice to her right to raise all the contentions in the H.M.O.P, agrees to receive the interim maintenance at the rate of Rs.7,500/- per month as well as arrears of interim maintenance.

3. The learned counsel appearing for both sides filed a Joint Memo of Compromise dated 11.10.2022, duly signed by both the appellant as well as respondent and their respective counsel. They further submitted that the trial Court may be directed to dispose of the H.M.O.P within a time frame to be stipulated by this Court.

4. In view of the above submissions and joint memo of



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compromise, the appeal stands disposed of, directing the appellant to pay Rs.7,500/- per month towards interim maintenance as agreed by both the appellant and respondent, Rs.4,00,000/- towards arrears of interim maintenance within a period of two weeks from today. The respondent/wife is directed to furnish the details of the bank account to the appellant/husband within a period of one week. The award of the Tribunal with respect to litigation expenses is confirmed. The learned Family Court Judge is directed to dispose of the H.M.O.P in 110 of 2014, pending on his file, on merits and in accordance with law, within a period of three months from the date of payment of arrears of maintenance by the appellant. No costs.

(V.M.V., J.) (S.M., J.)

11.10.2022

Index : Yes / No
Internet : Yes / No
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To

1. The Family Court,
Villupuram.
2. The Section Officer,
VR Section,
High Court,



Madras.

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