



CRP(PD)(MD)No.1190 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1190 of 2022
and C.M.P.(MD)No.4856 of 2022

M.Karalmarx

... Petitioner

versus

Hemalatha

... Respondent

Civil Revision Petition filed under Article 227 of Constitution of India, against the Fair and Decreetal order dated 12.04.2022 made in I.A.No.225 of 2021 in H.M.O.P.No.33 of 2021 on the file of the Family Court, Ramanathapuram.

For Petitioner : Mr.D.Senthil

ORDER

This Civil Revision Petition is filed against the order dated 12.04.2022 made in I.A.No.225 of 2021 in H.M.O.P.No.33 of 2021 on the file of the Family Court, Ramanathapuram.



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2. The petitioner is the husband of the respondent. The marriage between the revision petitioner and the respondent was solemnized on 10.02.2019. Due to difference of opinion, the husband/petitioner has filed a petition for divorce before the Family Court, Ramanathapuram in H.M.O.P.No.33 of 2021. Pending the same, the respondent/wife filed an interlocutory application in I.A.No.225 of 2021 in H.M.O.P.No.33 of 2021 seeking interim maintenance of Rs.10,000/- p.m. The trial Court, by order dated 12.04.2022, allowed the application directing the petitioner to pay the interim maintenance of Rs.7,000/- p.m. to the respondent/wife. Aggrieved over the same, the present Civil Revision Petition is filed.

3. The learned counsel appearing for the petitioner submits that the respondent/wife is working in a private company and she is having sufficient income to maintain herself. However, the trial Court, without verifying the same, passed an order, directing the petitioner to



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pay a sum of Rs.7,000/- p.m. towards interim maintenance to the respondent/wife.

4. This Court considered the submission made by the learned counsel appearing for the petitioner.

5. According to the petitioner, the respondent/wife is working in a private company and she is having sufficient income to maintain herself. Therefore, there is no necessity for ordering interim maintenance of Rs.7,000/- p.m. to the respondent/wife.

6. But, the fact remains that the petitioner is also working as a Constable in the Police Department and drawing the monthly salary of Rs.24,840/-. Therefore, the trial Court has rightly passed an order directing the revision petitioner to pay a sum of Rs.7,000/- towards monthly maintenance to the respondent/wife.



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7. Moreover, though the revision petitioner claims that the respondent/wife is working in a private company and she is having sufficient income to maintain herself, no materials have been produced before this Court to prove the same. In the absence of any material, this Court is not inclined to interfere with the order of the trial Court.

8. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

20.06.2022

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Index : Yes / No
Internet: Yes / No.

To

1. The Family Court,
Ramanathapuram.



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B.PUGALENDHI, J.

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