



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD) .No.1125 of 2021

and

C.M.P (MD) No.6568 of 2021

S.Bhuvaneswari

...Petitioner/Petitioner/Respondent
Vs.

R.Venkatesan

...Respondent/Respondent/Petitioner

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to set aside the fair and decreetal order dated 14.02.2020 made in I.A.No.118 of 2019 in H.M.O.P.111 of 2015 on the file of the Principal Sub Court, Karur and enhance the maintenance amount to the petitioner by allowing this Civil Revision Petition.

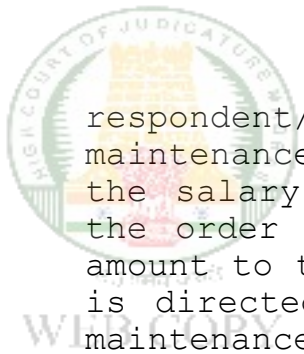
For Petitioner : Mr.J.Senthil Kumaraiah
For Respondent : Mr.K.Suresh

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 14.02.2020 made in I.A.No.118 of 2019 in H.M.O.P.111 of 2015 on the file of the Principal Sub Court, Karur and enhance the maintenance amount to the petitioner.

2.The respondent/husband has filed HMOP.No.111 of 2015 before the learned Principal Sub Judge, Karur for seeking divorce. I.A.No.115 of 2019 was filed by the revision petitioner/wife for maintenance, which was allowed by the learned Principal Sub Judge, Karur, granting a sum of Rs.15,000/- as maintenance and Rs.20,000/- towards cost for the case expenses to the revision petitioner. Aggrieved by the said order, the revision petitioner has filed this Civil Revision Petition to enhance the amount.

3.A perusal of records shows that the revision petitioner and the respondent have filed their salary certificates. As per RTI Act, the respondent's Salary Certificate has been given to the revision petitioner and the respondent has received a sum of Rs.38,255/- for the month of October 2021. The revision petitioner has filed a Salary Certificate and stated that she has received a sum of Rs.13,714/- for the month of November 2021. The



respondent/husband has not filed any petition against the interim maintenance order. It is necessary to let in oral evidence to prove the salary certificate filed by both the parties. However, after the order of interim maintenance, the respondent has not paid any amount to the revision petitioner. Therefore, the respondent/husband is directed to pay 50% of arrears amount and also 50% of interim maintenance to the revision petitioner from the date of this order till the disposal of H.M.O.P.No.111 of 2015.

4.With the above observation, this Civil Revision Petition is partly allowed and I.A.No.118 of 2019 is remitted back to the Principal Sub Court, Karur for fresh consideration. Since HMOP.No.111 of 2015 is pending from the year 2015, the learned Principal Sub Court, Karur is directed to dispose of HMOP.No.111 of 2015 and I.A.No.118 of 2019 simultaneously, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

The Principal Sub Court,
Karur

+1 CC to M/s.K.SURESH, Advocate (SR-10801[F] dated 09/03/2022)

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SP (CO)

KB (08.04.2022) 2P 3C