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CRP(MD)No.1927 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP(MD)No.1927 of 2022
and
CMP(MD)No.8760 of 2022

Thillainayagam

: Petitioner

Vs.

Shanmugapriya

: Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records relating to the fair and decreetal order dated 03.06.2022 passed in IA.No.57 of 2021 in HMOP.No.33 of 2020 on the file of the Sub Court, Tiruchendur and quash the same.

For Petitioner : Mr.M.Prabu

ORDER

The petitioner before this Court is the husband and the respondent is the wife. Their marriage was solemnized on 31.08.2014 and out of the wedlock, they were blessed with a girl child. After some years, the relationship between the parties got strained and the petitioner has filed HMOP.No.33 of 2020 before the



Sub Court, Tiruchendur, seeking divorce. Pending the application, the respondent has filed IA.No.57 of 2021 seeking interim maintenance and the same was allowed by the trial Court, vide order dated 03.06.2022, directing the petitioner to pay a sum of Rs.10,000/- per month to the respondent [Rs.5,000/- to the respondent and Rs.5,000/- to the minor child] pending the proceedings in HMOP.No.33 of 2020. Aggrieved over the same, the petitioner has moved the instant revision.

2.The contention of the petitioner is that he is not having sufficient earnings and source to pay Rs.10,000/- every month and without ascertaining the same, the trial Court has passed the order.

3.This Court feels that the amount fixed by the trial Court, viz., Rs.10,000/- [Rs.5,000/- for the respondent and Rs.5,000/- for the minor child] per month, is reasonable. The trial Court has fixed this amount so as to enable the respondent to contest the HMOP application filed by the petitioner. On a query posed by this Court as to the employment of the petitioner, the learned Counsel appearing for the petitioner submitted that the petitioner is working as a Technician in the Railway Department, drawing a salary of Rs.35,000/- per month, with which, he has to maintain his age old parents.



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4.This Court does not find any error in the order of the trial Court warranting interference. Accordingly, this civil revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

Index : Yes / No
Internet : Yes
gk

08.11.2022

To

The Subordinate Judge,
Tiruchendur.



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B.PUGALENDHI, J.

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