



CRP.No.1164 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

C.R.P.No.1164 of 2023
and C.M.P.No.8071 of 2023

Satheesh

... Petitioner

Vs.

M.Amrutha Lakshmi

... Respondent

PRAYER: Civil Revision Petition filed Under Article 227 of Constitution of India, praying to set aside the order and decree passed in I.A.No.1 of 2022 in O.P.No.1302 of 2021, dated 11.01.2023, on the file of the III Additional Family Court, Chennai.

For Petitioner : Mr.S.Shankar

For Respondent : No appearance

ORDER

The petitioner has filed this petition to set aside the order and decree passed in I.A.No.1 of 2022 in O.P.No.1302 of 2021, dated 11.01.2023, on the file of the III Additional Family Court, Chennai.



CRP.No.1164 of 2023

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2. Before the trial Court the petitioner has filed HMOP.No.1032 of 2021 for to dissolve the marriage solemnized between the petitioner and respondent on 04.09.2014 at Rajeswari Thirumana Mandapam, near Tiruttani Bus Depo, Arakkonam Road, Tiruttani on the ground of Cruelty and also on the ground of desertion. On pending of the HMOP, respondent has filed an I.A.No.1 of 2022 before the III Additional Principal Family Judge, Chennai, under Section 151 of CPC to direct the respondent/ husband to pay a sum of Rs.10,000/- per hearing to be paid by the respondent for travelling, boarding and lodging expenses for attending the case. On hearing both sides, the learned trial Judge partly allowed the petition and directing the respondent to pay a sum of Rs.5,000/- (Rupees Five Thousand Only) for travelling, boarding and lodging expenses to the petitioner for each hearing of her appearance till the disposal of O.P. Challenging the said findings, the revision petitioner has preferred this revision.



3. The learned counsel for the revision petitioner submitted that the petitioner is working as a sales man in Law Book seller namely Seetharaman at Chennai and drawing a sum of Rs.13,000/- per month. Apart from his personal expenses he has to take care of his mother who is aged about more than 60 years, therefore directing to pay a sum of Rs.5,000/- out of his monthly salary of Rs.13,000/- is highly not acceptable. The learned trial Judge failed to consider that the respondent is having land and properties worth about more than Rs.4 Crores and she is getting monthly rental of Rs.2,00,000/-. Hence, he prays to set aside the findings passed by the learned trial Judge in the said I.A.

4. Heard, Mr.S.Shankar, learned counsel for the petitioner. Notice served but there is no representation on the side of the respondent and perused the material available on records.

5. Considering the facts and circumstances, that the petitioner parents are morethan 60 years, and he wants to meet their expenses in his income and the award amount passed by the learned trial Judge is exorbitant, this



CRP.No.1164 of 2023

Court is inclined to modify the award amount. Accordingly, the petitioner is directed to pay a sum of Rs.3,000/- per month to the respondent, from the month of October 2023.

6. In view of the above, this Civil Revision Petition is disposed of.

Consequently, connected Miscellaneous petition is closed. No costs.

30.10.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
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To

- 1.The III Additional Family Judge, Chennai.
- 2.The Section Officer,
VR-Section, High Court of Madras.

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