



C.M.A.No.3212 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MR. JUSTICE D.BHARATHACHAKRAVARTHY**

**C.M.A.No.3212 of 2014
and
M.P.No.1 of 2014**

T.V.Sathyanarayana

... Appellant

Vs.

S.Dhanalakshmi

...Respondent

Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act, against the Fair and decretal order dated 28.06.2012 in I.A.No.3349 of 2008 in HMOP.No.2657 of 2008 on the file of the II Additional Family Court, Chennai.

For Appellant : Mr.P.Srinivas

For Respondent : No appearance

J U D G M E N T

Today, when the matter is taken up for hearing Mr.P.Srinivas, learned counsel for the appellant reports no instruction. The name of the



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appellant is also printed in the cause list.

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2. We see that the C.M.A. is only against the interim maintenance. Therefore, even though notice is not served on the respondent/wife, we proceeded to take up the matter and dispose of the same on merits.

3. It is seen that this Civil Miscellaneous Appeal is filed in the year 2012 and thereafter, it was numbered as C.M.A/No.3212 of 2014. The order impugned in the C.M.A. was ordered on 28.06.2012 by the learned II Additional Family Court, Chennai in I.A.No.3349 of 2008 in O.P.No.2657 of 2008. The order, in the interlocutory application, is ordered directing to pay interim maintenance of a sum of Rs.5,000/- each to the respondent/wife and her child towards maintenance. Therefore, considering the quantum of maintenance ordered, we find no ground to interfere with the same.

4. In the result, the Civil Miscellaneous Appeal is dismissed. The order of the II Additional Family Court, Chennai dated 28.06.2012 made in I.A.No.3349/2008 in HMOP.NO.2657/2008, is confirmed. The II



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Additional Family Court, Chennai is directed to take up the main O.P.No.2657/2008 for disposal as early as possible and dispose of the same on merits and in accordance with law, in any event, not later than three months from the date of receipt of a copy of this order. It is open to the respondent/wife to file appropriate application for realisation of the entire arrears of maintenance amount, if it remains unpaid.

(J.N.B,J.) (D.B.C, J.)
28.06.2023

Index : Yes / No
Internet : Yes
vsi

To
II Additional Family Court,
Chennai.



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and
D.BHARATHA CHAKRAVARTHY, J.

vsi

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