



*C.M.A.No.1603 of 2023
and CMP.No.16057 of 2023*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM

THE HONOURABLE Mr.JUSTICE **R.SUBRAMANIAN**
and
THE HONOURABLE Mrs.JUSTICE **R.KALAIMATHI**

C.M.A.No.1603 of 2023
and CMP.No.16057 of 2023

Y.Kumaravel

... Appellant

Vs.

Senbagam @ P.Hemalatha

... Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Court Act, 1984, praying to set aside the fair and decreetal Order dated 11.04.2023 passed in I.A.No.654 of 2018 in HMOP.No.455 of 2018 on the file of the Principal Family Court, Coimbatore.

For Appellant : Mr.S.Saravanan



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JUDGMENT

[Judgment of the Court was delivered by **R.SUBRAMANIAN, J**]

Challenge in the appeal is to the order granting interim maintenance at Rs.5,000/- per month to the respondent herein payable by the appellant.

2. The Original Petition in HMOP.No.455 of 2018 has been filed by the appellant seeking divorce on the grounds of desertion and cruelty. Pending the same, the respondent/wife filed the instant application in IA.No.654 of 2018 seeking interim maintenance. She has claimed that the appellant has running a medical shop and earning Rs.80,000/- per month. These allegations are stoutly denied by the appellant and he contended that she also runs a medical shop and she has suppressed the same. Unfortunately, the husband has not let in any evidence to show that the wife is running a medical shop. No attempt has been made to produce the license or other related documents, which would definitely available in public records, particularly when it is averred that the wife is running a medical shop.



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**(R.S.M.J.,) (R.K.M.J.,)
25.07.2023**

Index : No

Internet : Yes

Speaking order: No

Neutral Citation Case :No

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To

1. The Principal Family Court,
Coimbatore.
2. The Section Officer,
VR Section High Court, Madras.



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