



C.R.P.No.3685 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3685 of 2023

and

C.M.P.No.23111 of 2023

Thirunavukkarasu

...

Petitioner

-Vs-

Yasodha

...

Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and final order dated 28.04.2023 passed in I.A.No.1 of 2023 in H.M.O.P. No.159 of 2020 on the file of the Sub-Judge, Omalur at Salem and allow the above C.R.P.

For Petitioner

:

Mr.R.Nalliyappan

ORDER

Challenging the impugned order passed in I.A.No.1 of 2023 in HMOP.No.159 of 2020 by the Sub-Judge, Omalur, the Revision Petitioner/husband filed this Civil Revision Petition.



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2. The learned counsel for Revision Petitioner would submit that husband is unemployed, on the other hand, the respondent/wife is maintaining the hotel run by her father and earning considerable amount. On the other hand, the Revision Petitioner is depending upon his father's income and he has no separate income. Without considering the same, the trial judge directed the revision petitioner to pay a sum of Rs.5000/- towards interim maintenance to the respondent.

3. On perusal of records, it reveals that out of wedlock, a female child was born and now she is aged about 6 years and she is under the care of respondent/wife. The learned counsel for Revision Petitioner submitted that he has no separate income and he is depending upon his father's income, so, he is not able to pay the said amount. Considering his submissions, the interim maintenance awarded by the trial judge in I.A.No.1 of 2023 is modified directing the Revision Petitioner to deposit a sum of Rs.3000/- per month towards interim maintenance for the wife and child on the first week of every English calendar month from the date of



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petition filed in the year of 2020 to the credit of the account of respondent wife within a period of two weeks from the date of receipt of copy of this order without fail. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, connected C.M.P. is closed.

13.10.2023

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Index : Yes/No

Speaking Order : Yes/No

To

Subordinate Judge, Omalur, Salem.



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T.V.THAMILSELVI, J.

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