



C.R.P(MD)No.565 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.565 of 2023

and

C.M.P(MD)No.2661 of 2023

J.Thamburaj

... Petitioner/Respondent/
Petitioner

Vs.

Emaculate

... Respondent/Petitioner/
Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order, dated 12.12.2022 in I.A.No.205 of 2016 in I.D.O.P.No.37 of 2016 on the file of the Family Court, Tiruchirappalli and allow this civil revision petition.

For Petitioner : Mr.S.Anwar Sameem
for Mr.T.Antony Arul Raj

ORDER

The present revision petition has been filed by the husband challenging an order of interim maintenance granted to his son at the rate of Rs.4,000/- (Rupees Four Thousand only) from 28.07.2015.



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2. Admittedly, I.D.O.P.No.37 of 2016 is pending between the couple before the Family Court, Tiruchirappalli. In the said I.D.O.P, the wife had filed I.A.No.205 of 2016 seeking interim maintenance of Rs. 10,000/- (Rupees Ten Thousand only) to herself and Rs.5,000/- (Rupees Five Thousand only) to her son. However, the Family Court has rejected the request of the mother for monthly maintenance to herself and has granted monthly maintenance to the minor son at the rate of Rs.4,000/- (Rupees Four Thousand only). This order is under challenge in the present revision petition.

3. Considering the fact that the order of interim maintenance has been passed from the date of application and the son is now doing his 2nd year in the Higher Secondary Course, this Court does not find that the amount of interim maintenance is either exorbitant or unreasonable. However, the learned counsel for the petitioner submits that he has been directed to pay maintenance from 28.07.2015 and he would find very difficult to pay the arrears amount. It is for the petitioner to pay the said amount in installments for the benefit of his son.



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4. With the said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

03.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Family Court,
Tiruchirappalli.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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