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C.M.A.(MD) No.472 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

C.M.A.(MD) No.472 of 2023

and

C.M.P.(MD) No.5929 of 2023

L.Maruthappan

... Appellant

-vs-

Jeyachithra

... Respondent

Civil Miscellaneous Appeal filed under Section 19(1) of Family Courts Act, 1984, praying to set aside the fair and decreetal order dated 20.09.2021, passed in I.A.No.532 of 2018 in H.M.O.P.No.398 of 2016, by the Family Court, Trichy.

For Appellant : Mr.T.Lenin Kumar

J U D G M E N T

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

The order under challenge is the order granting interim maintenance at Rs.5,000/- per month payable by the husband / appellant to his wife / respondent.



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2. Admittedly, the appellant's gross salary is about Rs.44,000/-.

He would claim that his take home pay is only Rs.13,000/-. It is because of his own borrowings, his take home pay has been reduced, which cannot be a ground to deny maintenance to his wife. Even this Rs.5,000/-, in our opinion, would be just about sufficient for the respondent / wife to maintain herself, considering the today's cost of living. Hence, we do not find any ground to interfere with the impugned order passed by the Family Court. Hence, this civil miscellaneous appeal fails and it is dismissed.

3. The Family Court, Trichy, is required to dispose of H.M.O.P.No. 398 of 2016, within a period of eight months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

02.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Judge,
Family Court,
Trichy.
- 2.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



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