



CMA(MD)No.374 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2023

CORAM :

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

**CMA(MD)No.374 of 2023
and
CMP(MD)No.4535 of 2023**

Kuppusamy

... Appellant

VS.

Suganya

... Respondent

PRAYER : Appeal filed under Section 19 of the Family Courts Act, 1984, to set aside the order passed in I.A.No.185 of 2022 in HMOP.No.210 of 2021 on the file of the Family Court, Pudukottai, dated 29.10.2022.

For Appellant : Mr.R.Balakrishnan



JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The appellant/husband challenges the order granting interim maintenance of Rs.9,000/- per month. The original petition in HMOP.No.210 of 2021 was filed by the husband seeking divorce. The wife sought for interim maintenance at Rs.20,000/- per month. The husband termed it as exaggerated and claimed that since his take home pay is only Rs.22,000/-, he cannot pay Rs.20,000/- as maintenance. The Family Court took into account the rival pleadings and concluded that a sum of Rs.9,000/- would be reasonable monthly maintenance. The learned Family Court Judge also took note of the fact that the appellant's gross salary is Rs.37,844/- and hence 1/4th of the said amount could be fixed as monthly maintenance. Aggrieved by such fixation, the husband is on appeal.

2. Learned counsel for the appellant would vehemently contend that the Family Court failed to see that the appellant is repaying home loan as well as he is maintaining his parents. The appellant happens to work as a Revenue Assistant in the Revenue Department of the Government of Tamil Nadu. The State Government servants are the best paid in their fields.



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3. Hence, we do not think a direction to pay Rs.9,000/- per month could be termed to be on the higher side. We do not see any reason to interfere with the order of the Family Court.

4. Accordingly, the Civil Miscellaneous Appeal is dismissed.
No costs. Connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
12.04.2023

Index : Yes / No
Internet : Yes
Neutral Citation : Yes / No
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To

The Judge,
Family Court,
Pudukottai.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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JUDGMENT MADE IN
CMA(MD)No.374 of 2023
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