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C.R.P.No.1733 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.1733 of 2024

and

C.M.P.No.9130 of 2024

S.Yuvaraj

... Petitioner

Vs.

Chitra

... Respondent

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to call for the records pertaining to the issue of the fair and decreetal order dated 12.03.2024 made in I.A.No.1 of 2024 in H.M.O.P.No.1943 of 2023 on the file of IV Additional Principal Family Court, Chennai awarding educational expenses of Rs.50,000/- to his son Udaya Surya from the academic year 2023-2024 and set aside the same and thus allow the Civil Revision Petition.

For Petitioner : Mr.G.Mayakrishnan

For Respondent : Mr.M.Vijayakumar



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welfare the issue got resolved and thereafter they were living together. But the respondent not changed her way of life and her relationship with one Ravi. Despite several warnings, she continued her relationship. Hence, the petitioner filed H.M.O.P.No.1943 of 2023 seeking divorce before the IV Additional Family Court, Chennai on the grounds of adultery, cruelty and desertion and the same is pending. He further submitted that the petitioner had spent huge money for the marriage of his two daughters by availing loan and pledging house through his father. He is also paying college fees and other expenses for his son Udaya Suriya. Apart from this, he has also availed loan from finance companies and repaying monthly EMIs. He has also taken a mortgage loan from Egmore Benefit Saswatha Nidhi Ltd. The petitioner is employed in Tamil Nadu Electricity Department. The petitioner is repaying monthly EMI of Rs.21,000/- and for his father's loan, a sum of Rs.26,000/-, in total, he is repaying Rs.47,000/- per month towards the loan. He further submitted that petitioner's son Udhya Suriya attained majority, now he is 19



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years old and studying in a college. Since his wife is not faithful to him, the order passed by the Family Court directing the petitioner to pay a sum of Rs.50,000/- to his son, is not sustainable.

3.The learned counsel appearing for the respondent submitted that the petitioner is employed as Commercial Assistant in Tamil Nadu Electricity Department and he has got two immovable properties. He is having sufficient earnings. He is making earnings of Rs.45,000/- per month. Further, the respondent filed maintenance case in M.C.No.236 of 2020, wherein the petitioner was ordered to pay maintenance amount of Rs.10,000/- per month to the respondent and another Rs.10,000/- per month to his son, in total, Rs.20,000/- per month was ordered. But the petitioner failed to pay the same. Thereafter, he preferred a revision in CrI.R.C.No.717 of 2024 and obtained a beneficial order and thereafter part amount of Rs.3,15,000/- was deposited so far towards the maintenance.



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4.Considering the submission made and on perusal of the material

it is seen that in the maintenance case, the petitioner was directed to pay a sum of Rs.20,000/- towards monthly maintenance. In I.A.No.1 of 2024, the Family Court, considering the fact that respondent's son joined the college, directed the petitioner/father, to pay a sum of Rs.50,000/- per year towards the educational expenses from the Academic year 2023-2024 till the disposal of H.M.O.P.No.1943 of 2023. The petitioner has not paid the amount but filed the above petition taking unappreciated details.

5.In view of the above facts, this Court is not inclined to entertain this petition. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.06.2024

Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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M.NIRMAL KUMAR, J.

rsi

To

The IV Additional Judge,
Principal Family Court, Chennai.

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and

C.M.P.No.9130 of 2024

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