



C.R.P.No. 2646 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2024

C O R A M:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.No. 2646 of 2024
and C.M.P.No.13859 of 2024

Karthick Chandrakumar

... Petitioner

Vs.

Nithya

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decreetal order dated 15.04.2024 passed in I.A.No.01 of 2021 in H.M.O.P.No.75 of 2021 on the file of the Sub Court, Ranipet.

For Petitioner : Mr.P.Santhosh

ORDER

This Civil Revision Petition is filed as against the order of the learned Subordinate Judge, Ranipet for granting an interim maintenance of Rs.20,000/- per month for a minor child.

2. H.M.O.P.No.75 of 2021 has been filed by the civil revision petitioner seeking divorce from the respondent. It is not in dispute that the petitioner and the respondent married on 26.6.2017. From the wedlock, a female child was



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born and she is aged about six(6) years today. The petitioner is a Doctor by profession who is working in the Government service. Before the learned Trial Judge, the salary certificate of the husband for the period of September,2022 was marked by this respondent/wife pointing out that the husband is earning around Rs.83,894/- per month. Pleading that the husband is not maintaining the child, she moved an application for interim maintenance. The trial Court granted interim maintenance of Rs.20,000 per month and Rs.1,00,000/- towards educational expenses. Against which, the present revision.

3. Before the trial Court, the civil revision petitioner did not file his affidavit of assets and liabilities as directed by the Supreme Court. However, evidence has been let in by the wife in order to demonstrate that the husband is making about Rs.83,894/-. The wife has not sought for any maintenance for herself but has only sought for maintenance of Rs.50,000/- for the child. The learned Judge taking into consideration that the husband is earning about Rs.83,894/- has given 1/4th of his income as maintenance to the child. The child is a girl child and obviously for education, health and medical expenses, the mother has been incurring the liability so far. When the civil revision petitioner is admittedly the father, he is duty bound to maintain his



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child. The amount of Rs.20,000/- does not seem to be excessive considering the status of the petitioner as a Medical Doctor in Government Hospital.

4. Unless and until, the order is arbitrary or capricious, I am not inclined to interfere with the same. Therefore, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

19.07.2024

msv
Index: Yes/No
Internet: Yes/No
Speaking order: Non-speaking order
Neutral Citation: Yes/No

To
The Subordinate Judge,
Sub Court, Ranipet.



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V.LAKSHMINARAYANAN,J.

Msv

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