



CRP No.4144 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

CRP No.4144 of 2024

R.Dhivya

: Petitioner

versus

A.Kumar

: Respondent

Prayer: Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order passed in I.A.No.3 of 2023 in O.P.No.1860 of 2021 dated 20.05.2024 by the IV Additional Family Court, Chennai and thereby directing the respondent to pay a sum of Rs.1.25 Crores to the petitioner and Rs.75 Lakhs to the minor son Shyam Sundar totalling a sum of Rs.2 Crores as permanent alimony.

For Petitioner : Mr.T.C.S.Raja Chockalingam

ORDER

O.P.No.1860 of 2021 has been disposed of by a final order on 20.05.2024. At the time of disposal, the learned Trial Judge has allowed the



CRP No.4144 of 2024

application filed under Section 25 (Permanent alimony) in I.A.No.3 of 2023.

This revision assails the said order.

2. In terms of Section 28(2) of the Hindu Marriage Act, where an application under Section 25 or Section 26 of the Act is disposed of, not as an interlocutory application, but at the time of final disposal, the remedy is to file an appeal before the Family Court. Fortunately, in this case, the order has been passed by the Family Court at Chennai and hence, the appeal lies to this Court.

3. Consequently, this revision is not maintainable. Hence, the civil revision petition shall be converted into civil miscellaneous petition. With the above liberty, this civil revision petition is disposed of. No costs.

15.10.2024

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Index : Yes/No
Speaking Orders/Non Speaking orders
Neutral Citation : Yes/No



CRP No.4144 of 2024

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To

The IV Additional Family Court,
Chennai



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CRP No.4144 of 2024

V.LAKSHMINARAYANAN, J.

nl

CRP No.4144 of 2024

15.10.2024



CRP No.4144 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **16.12.2024**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD)No.4144 of 2024

R.Dhivya

.. Petitioner

VS.

A.Kumar

.. Respondent

For Petitioner : Mr.T.C.S.Raja Chockalingam

ORDER

Today, this matter came up under the caption 'For being mentioned'.

2. The last portion of the order should be read as “Hence, the civil revision petition shall be converted into civil miscellaneous appeal.” instead of “Hence, the civil revision petition shall be converted into civil miscellaneous petition”. The rest of the order remains unaltered.



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CRP No.4144 of 2024

V.LAKSHMINARAYANAN,J.

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3. Office is directed to issue a fresh order copy.

16.12.2024

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C.R.P.(PD)No.4144 of 2024