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C.R.P.[NPD].No.4440 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

C.R.P.[NPD].No.4440 of 2024

&

CMP.No.24715 of 2024

A.Kumar

. . . Petitioner

Versus

Dhivya.R

. . . Respondent

PRAYER : Petition filed under section 115 of Code of Civil Procedure to set aside the fair and decreetal Order dated 20.05.2024 passed in I.A.No.3 of 2023 in O.P.No.1860 of 2021 dated 20.05.2024 on the file of the learned IV Additional Family Court at Chennai.

For petitioner : Mr.R.Rafi Babu

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



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ORDER

Challenge has been made against the fair and decreetal Order directing the the petitioner to pay a sum of Rs.20,00,000/- towards permanent alimony of the respondent and Rs.30,00,000/- towards permanent alimony of the minor son Shyam Sundar, in the present Civil Revision Petition.

2. H.M.O.P.No.1860 of 2021 has been filed by the respondent for divorce and H.M.O.P.No.3748 of 2019 has been filed by the petitioner for restitution of conjugal rights and H.M.P.No.775 of 2020 has been filed by the petitioner for permanent custody of the minor child. The respondent has also filed a I.A.No.03 of 2023 in H.M.O.P.No.1860 of 2021 for permanent alimony for herself and her minor son. All the original petitions and the interlocutory application were tried together and a common Order has been passed.

3. In such view of the matter, as against the final Order passed by the



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Family Court, only an appeal has to be filed before the Division Bench of this Court and the present revision is not maintainable before this Court. It is for the petitioner, if he is so advised, to file an appropriate appeal before the Division Bench.

4. With the above observations, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Internet: Yes

Speaking/non speaking order

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N. SATHISH KUMAR, J.

vrc

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