



C.R.P.(PD)No.1434 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 10.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**C.R.P.(PD)No.1434 of 2024**

**and**

**C.M.P.No.7685 of 2024**

P.Hemakumar

.. Petitioner

Vs.

P.Meena

.. Respondent

**Prayer** : The Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order passed in I.A.No.2 of 2023 in H.M.O.P.No.336 of 2022, dated 19.08.2023 on the file of the learned Subordinate Judge at Thiruvottiur.

For Petitioner : Mr.P.G.Thiyagu

**ORDER**

The husband and wife were before the Court in H.M.O.P.No.336 of 2022. The wife filed an application seeking maintenance amount of a sum of Rs.20,000/- (Rupees Twenty Thousand only). The Court had fixed a sum of Rs.6,000/- (Rupees Six Thousand only) to be paid as monthly maintenance.



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It is the duty of the husband to maintain his wife i.e., the purpose of Section 24 of Hindu Marriage Act.

2. The learned Judge has taken into consideration that the wife has been knocking on the doors of the Domestic Violence Court as well as H.M.O.P. Court for the purpose of obtaining maintenance. He has taken note of the fact that, in case the petitioner/husband does not maintain the wife, it is the question of survival of herself.

3. The petitioner pleads that the respondent had not filed an affidavit of assets as required by law. A perusal of the record shows that the husband has not filed the affidavit of assets as directed by the Supreme Court. It has become a practice for a husband to plead that he is unemployed, whenever the wife seeks for maintenance. Whether the husband employed or not, he is duty bound to maintain his wife.

4. The trial Court did not fix an excessive amount, the amount which was fixed is only a sum of Rs.6,000/- (Rupees Six Thousand only) which I find very reasonable. In any event, it is an exercise of discretion by the trial



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Court, I am not inclined to interfere with the revision under Article 227 of  
Constitution of India.

5. Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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**V. LAKSHMINARAYANAN, J.**

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To

The learned Subordinate Judge,  
Thiruvottiyur

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