



C.R.P.(MD)No.2028 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.10.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2028 of 2024

and

C.M.P.(MD)No.11545 of 2024

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... Petitioner / Petitioner / Respondent

Vs.

Arokia Raj

... Respondent / Respondent / Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 27.06.2024 passed in I.A.No.3 of 2021 in I.D.O.P.No.26 of 2020 before the Family Court, Kanyakumari District at Nagercoil by allowing this civil revision petition.

For Petitioner : Mr.G.Aravinthan

For Respondent : Mr.B.Micheal Sebastin

* * *

ORDER

Heard both sides.



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2.The respondent herein filed I.D.O.P.No.26 of 2020 on the file of the Family Court, Kanyakumari District at Nagercoil for dissolution of his marriage with the petitioner. In the said I.D.O.P., the petitioner herein filed I.A.No.3 of 2021 claiming interim maintenance. The Court below vide order dated 27.06.2024 dismissed the said I.A. on the ground that the revision petitioner is capable of maintaining herself. Challenging the same, the present civil revision revision has been filed.

3.The respondent is employed in abroad as a technician. He is earning a sum of Rs.1,50,000/- as monthly salary. The respondent is at Dubai and therefore, the cost of living is likely to be high. The petitioner is working as nurse. Merely because the petitioner is working as nurse that could not have been a ground for dismissing the I.A. The respondent as a father of the child is under a statutory and moral obligation to contribute towards maintenance of his child.

4.Taking into account the overall facts and circumstances, the respondent is directed to pay a sum of Rs.10,000/- towards interim maintenance of the child. This obligation to pay will arise from the date of filing of I.A.No.3 of



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2021. The impugned order is set aside the civil revision petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

17.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

The Family Court,
Kanyakumari District,
At Nagercoil.



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G.R.SWAMINATHAN, J.

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