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C.R.P.(MD)No.2489 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.2489 of 2024 and
C.M.P.(MD)No.14228 of 2024

Vignesh @ B.S.Janarthanan Babu

... Petitioner / Respondent /
Petitioner

Vs.

Minor Jashvin
Rep. By his natural guardian and mother
P.V.Vigneswari.

... Respondent / Petitioner /
Third party

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and executable order dated 07.02.2024 passed in I.A.No.1 of 2023 in O.P.No.245 of 2022 on the file of the Family Court, Madurai and allow the same.

For Petitioner : Mr.J.Barathan

**ORDER**

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Heard the learned counsel appearing for the revision petitioner.

2. The revision petitioner filed O.P.No.245 of 2022 on the file of the Family Court, Madurai seeking restitution of conjugal rights. In the said OP, visitation order was passed in favour of the revision petitioner. It is alleged that the petitioner's wife did not honour the said order. Instead she filed I.A.No.1 of 2023 seeking payment of interim maintenance for the minor child. By the impugned order, the petitioner had been directed to pay a sum of Rs.10,000/- per month. The petitioner is earning a sum of Rs.58,000/- salary per month. Therefore, the Court below was justified in directing the petitioner to pay a sum of Rs.10,000/- per month towards interim maintenance. The award passed by the Court below cannot be said to be excessive or high by any standard.

3. Upon the petitioner making the said payment, the petitioner's wife, namely P.V.Vigneswari is obliged to honour the order for visitation rights passed in favour of the petitioner herein.



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4. With this direction to P.V.Vigneswari, the impugned order is sustained. This civil revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

16.10.2024

Index : yes/No
Internet: Yes/No
PMU

To
The Judge,
Family Court,
Madurai



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G.R.SWAMINATHAN,J.

PMU

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