



CRP(MD).No.2674 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2024

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.2674 of 2024
and
C.M.P.(MD)No.15302 of 2024

Mariappan

... Petitioner

Vs.

Arumugathai

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair order passed in I.A.No.1 of 2023 in H.M.O.P.No.115 of 2023 dated 23.09.2024 on the file of the Subordinate Court, Sattur.

For Petitioner : Mr.A.Banumathy

For Respondent : Mr.G.Dharmaraj



CRP(MD).No.2674 of 2024

WEB COPY

ORDER

This Civil Revision Petition has been filed challenging the order dated 23.09.2024 passed in I.A.No.1 of 2023 in H.M.O.P.No.115 of 2023 on the file of the Subordinate Court, Sattur.

2. The learned Counsel for the petitioner would submit that without any proof for the asset and liability of the petitioner/husband, the trial Court has erroneously ordered to pay a sum of Rs.15,000/- to the respondent/wife towards interim maintenance, which requires interference of this Court. Further he submitted that the petitioner is working as an Electrician and is earning only a sum of Rs.12,000/- per month. Therefore, it is difficult for him to pay a sum of Rs.15,000/- to the respondent as maintenance amount.

3. The learned Counsel for the respondent would submit that the petitioner/husband being an Electrician is earning only a sum of Rs.600/- per day. Therefore, the order passed by the trial Court, directing the petitioner/husband to pay a sum of Rs.15,000/- towards interim maintenance is reasonable.



CRP(MD).No.2674 of 2024

WEB COPY

4. Heard the learned Counsel on either side and perused the materials available on record.

5. It is not a dispute that the respondent/wife is not having sufficient financial capacity to maintain herself and her child. However, there is no proof that the petitioner/husband is earning sufficiently to pay a sum of Rs.15,000/- as interim maintenance ordered by the trial Court.

6. Considering the fact and circumstances of the case, this Court deems it fit to interfere in the order passed by the trial Court. The interim maintenance at the rate of Rs.15,000/- per month is reduced to Rs.12,000/- (Rupees Twelve Thousand only) per month. The petitioner/husband is directed to pay a sum of Rs.12,000/- per month towards maintenance to the respondent/wife, on or before 10th day of every English calendar month from the date of petition to till the disposal of the HMOP and Rs.5,000/- is confirmed for case litigation. The arrear amount shall be paid in two installments within a period of two (2) months from the date of receipt of a copy of this order.



CRP(MD).No.2674 of 2024

7. With the above said direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.11.2024

Index : Yes / No

Internet : Yes/ No

jbr

To

The Subordinate Court, Sattur.



WEB COPY



CRP(MD).No.2674 of 2024

K. GOVINDARAJAN THILAKAVADI, J.,

jbr

C.R.P(MD)No.2674 of 2024

26.11.2024