



C.M.A(MD)No.23 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No. 23 of 2024

and

C.M.P(MD)No.373 of 2024

T.Fransis Santhosh

... Appellant

Vs.

M.Jaiseelia Kodeeswari

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 55 of the Divorce Act 1869 r/w 19(1) of Family Courts Act, to call for records in I.D.O.P.No.148 of 2019 on the file of the Principal District Court, Thanjavur, Thanjavur District and set aside the Judgment and Decree, dated 08.12.2022.

For Appellant : Mr.C.Suresh Kannan

For Respondent : Mr.C.Padmaraj

JUDGEMENT

The Appellant/Husband has preferred this Appeal against the Order dated 08.12.2022 passed in I.D.O.P.No.148 of 2019 on the file of the Principal District Court, Thanjavur.



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2. By an Order, dated 12.02.2024, this Court directed the Appellant to deposit the balance 50% of interim maintenance which was awarded by the Court below on or before 29.02.2024 and the Appellant had deposited the same on 09.02.2024 to the tune of Rs.2,80,000/-.

3. As far as the permanent maintenance is concerned, the Appellant has agreed to pay a sum of Rs.10,00,000/- [Rupees Ten Lakhs Only] for the educational purpose of the Son and the same will be deposited in two equal installments. The first installment of Rs.5,00,000/- [Rupees Five Lakhs Only] will be paid on or before 31.05.2024 and the second installment of Rs.5,00,000/- [Rupees Five Lakhs Only] will be paid on or before 31.07.2024. In future, if the son is requesting any amount to his father for his higher education, the Appellant/father will consider the same.

4. The wife is permitted to withdraw the temporary alimony granted by the Tribunal. As far as Rs.10,00,000/-is concerned, the same shall be deposited in anyone of the Nationalized bank till the son is attaining majority. The respondent/wife is permitted to withdraw the



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interest for her child education, once in three months. The wife is entitled to apply for a separate ration card for which the husband shall co-operate with her.

5. With the above conditions, this Court is confirming the impugned Order, dated 08.12.2022 passed in I.D.O.P.No.148 of 2019 on the file of the Principal District Court, Thanjavur, by granting divorce to the petitioner and the respondent. As far as the granting of permanent alimony of Rs.50,00,000/- by the Tribunal is hereby set aside.

6. Accordingly, this Civil Miscellaneous Appeal is disposed of as stated supra. No Costs. Consequently, connected miscellaneous petition is closed.

14.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
KSA



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To

1. The Principal District Court,
Thanjavur.
2. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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Order made in
C.M.A(MD)No.23 of 2024

14.03.2024