



C.R.P(MD)No.3065 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P(MD)No.3065 of 2023

and

C.M.P.(MD)No.16579 of 2023

T.Raja

.. Petitioner

Vs.

N.Bhuvanesari

.. Respondent

Common Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 04.10.2023 made in I.A.No.1 of 2023 in HMOP.No.20 of 2022 on the file of the Principal Subordinate Court, Dindigul.

For Petitioner : Ms.B.Bhuvaneshvari

For Respondent : Mr.J.Lawrance



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ORDER

This revision petition has been preferred by the husband against the order dated 04.10.2023 passed by the learned Principal Sub Judge, Dindigul in I.A.No.1 of 2021 in HMOP.No.20 of 2022.

2. The said application was filed by the wife under Section 24 of the Hindu Marriage Act seeking maintenance for herself and the children. The trial Court, on considering the facts and circumstances and the status of the parties, awarded a sum of Rs.25,000/- as monthly maintenance. As against the same, the petitioner has preferred this revision.

3. Today, the learned counsel for the petitioner submitted that the respondent/wife is working as a Professor in Gandhigramam Deemed University, Dindigul and earning a sum of Rs.20,000/- per month. Whereas, the revision petitioner does not have any permanent job. He is only discharging the function of the President of the Local Panchayat. It is further stated by the learned counsel for the petitioner that apart from the said President post, there is no substantial income from any



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agricultural land. It is also submitted that he is ready to take care of the children's educational expenses. He also underwent Angio surgery and also suffered from the physical ailment and hence, he is not in a position to pay the said amount that was ordered by the trial Court.

4. The learned counsel for the respondent submitted that the petitioner is a man of means and has sufficient income to comply the order of the trial Court and hence, no interference is required.

5. At the time of admission, the revision petitioner was directed to deposit Rs.15,000/- per month to the children and that amount to be maintained till the disposal of the main HMOP. Whatever grievance the revision petitioner have, it can be put forth before the trial Court seeking modification of the order. Sitting in revision portfolio, this Court cannot go into the factual aspects as to the liabilities to both side. So, as far as the liabilities, both parties shall make their submission before the enquiry Court. The enquiry Court has power to go into those aspects and pass final orders.



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6. With the above said observation, this Civil Revision Petition is disposed of. However, it is made clear that the revision petitioner must continue to pay the maintenance of Rs.15,000/- as admitted by him before this Court till the disposal of the main HMOP , subject to the final orders to be passed by the concerned Court. No costs. Consequently, connected miscellaneous petition is closed.

14.03.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJJ

To
1.The Principal Sub Judge, Dindigul.

2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.

PJL

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