



CRP No.847 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :27.06.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P.No.847 of 2025 and CMP No.5031 of 2025

Saravana Prakash

.... Petitioner

vs

S.Krithika

... Respondent

Revision filed under Article 227 of the Constitution of India against the fair and decretal order dated 23.10.2024 made in I.A.No.2 of 2023 in HMOP No.468 of 2020 on the file of Family Court, Tiruppur.

For Petitioner : Mr.N.Senthil Kumar

For Respondents : No appearance

ORDER

Heard the learned counsel for the petitioner. The respondent, despite service of notice, has not chosen to appear either in person or through counsel.

2. Learned counsel for the petitioner/husband would bring to my notice that though interim maintenance was ordered, the same has not been challenged



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by the petitioner/husband and the order is being complied with by prompt

payment. The grievance of the petitioner/husband is that the Family Court awarded a sum of Rs.1,00,000-towards litigation expenses.

3. Learned counsel would take me through the impugned order, where, the Family Court, Tirupur has assigned reasons for awarding a sum of Rs.1,00,000-(Rupees One Lakhs Only) towards litigation expenses. The learned counsel would submit that the respondent's father appeared for the petitioner and not even a private counsel was engaged in the matter. Learned counsel further states that the proceedings were conducted within the jurisdiction where the respondent resides and there is no occasion for the respondent/wife to claim such an arbitrary amount of Rs.1,00,000-(Rupees One Lakh only) towards litigation expenses.

4. I have considered the submissions made by the learned counsel for the petitioner and also perused the order of the trial Court.

5. The Family Court appears to have been carried away by the fact that when the representation on the side of the respondent/wife that the respondent/wife had to travel all the way from Coimbatore to Chennai to seek



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the legal advice of a Senior Counsel and therefore, it warranted award of

Rs.1,00,000/- towards litigation expenses. There is no material to substantiate such self serving statement of the respondent/wife that she along with her father had to go all the way from Coimbatore to Chennai and seek advice of Senior Counsel. In any event, when the Family Court having ordered maintenance at the rate of Rs.25,000-(Rupees Twenty Five Thousand only) taking into consideration the financial status of the parties, the award of litigation expenses also should have been commensurate with the same.

6. Therefore, I am inclined to set aside the award of Rs.1,00,000-(Rupees One Lakh Only) ordered towards litigation expenses and restrict it to Rs.25,000-(Rupees Twenty Five Thousand only), to be paid by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observation, the Civil Revision Petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order

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P.B.BALAJI.,J.

SI

To
The Family Court, Tiruppur

C.R.P.No.847 of 2025

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