



CRP No.1459 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :19.06.2025

CORAM:

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

C.R.P.No.1459 of 2025 and CMP No.8594 of 2025

R.Ramesh Kumar

.... Petitioner

vs

MrsR.Saranya

... Respondent

Revision filed under Article 227 of the Constitution of India against the order dated 27.01.2023 passed by the learned Additional Principal Family Judge, Coimbatore by directing the petitioner to pay a sum of Rs.10,000/-per month to the respondent and her daughter as interim maintenance and further sum of Rs.10,000/- as litigation expenses made in I.A.No.1 of 2022 in HMOP No.382 of 2022.

For Petitioner : Mr.M.Samuel Raja

For Respondent : L.Mouli

ORDER

The Civil Revision Petition is challenging the order of the interim maintenance of Rs.10,000/- awarded to the wife and minor daughter. The petitioner is the husband, against whom, interim maintenance was claimed by the respondent/wife in HMOP No.382 of 2022. The petitioner/husband preferred HMOP No.382 OF 2022 for dissolution of marriage whereas the



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wife/respondent herein preferred a petition under Section 9 of the Hindu

Marriages Act for restitution of conjugal rights.

2. It is an admitted fact that the petitioner and the respondent are blessed with a minor daughter, who is aged 4 years as on date. The learned counsel for the petitioner states that the petitioner is earning Rs.24,000/- per month and has financial commitments and he would not be in a position to pay the amount awarded by the Family Court, Coimbatore.

3. On going through the pleadings in the maintenance application as well as the order passed in Sections 24 and 26 application in I.A.No.1 of 2022, I do not find any infirmity or illegality or perversity in the findings arrived at by the Family Court, Coimbatore in awarding total sum of Rs.10,000/- to wife and the minor daughter and Rs.10,000/-towards litigation expenses.

4. Learned counsel for the petitioner states that in pursuance of the directions of this Court, the petitioner has paid maintenance at the rate of Rs.7,000/-per month.

5. Now, the learned counsel for the respondent/wife submits that arrears of maintenance has not yet been paid and only the conditional order of stay that



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has been complied with by the petitioner/husband.

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6. Learned counsel for the petitioner would state that petitioner is willing to see his minor child and he seeks suitable orders.

7. Learned counsel for the respondent/wife submits that as the father, the petitioner will not be denied the right to visit the child, at a place which is mutually agreeable between the parties. I do not deem it necessary to direct the petitioner/husband to file an application before the Family Court, seeking visitation rights. Learned counsel for the parties shall have mutual discussions in this regard and shall arrive at an amicable arrangement.

8. The frequency of the visitation rights which would be made available to the petitioner/husband shall be atleast twice a month. Insofar as the arrears of maintenance, calculated at the rate of Rs.10,000/-, the petitioner/husband shall pay the entire arrears within a period of four weeks from the date of receipt of a copy of this order and shall continue to pay Rs.10,000/- as awarded by the trial court. Any payments made in the interregnum period shall be adjusted from the amount payable and the balance shall be paid.



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P.B.BALAJI.,J.

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9. Considering the fact that HMOP is of the year 2022, the trial court is directed to jointly try HMOP No.382 of 2022 and 1318 of 2022. Pleadings shall be completed within a period of four weeks from the date of receipt of a copy of this order and the Family Court shall expedite the joint trial in both HMOPs and in any event dispose of the same on merits and in accordance with law on or before 31.01.2026.

10. In the result, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2025

Index: Yes/No

Website:yes/no

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To

The Additional Principal Family Judge, Coimbatore

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