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C.R.P.(PD) No.1582 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD) No.1582 of 2025
and CMP.No.9190 of 2025

Balamurugan.M

... Petitioner

Vs.

1.Karpagam

2.Minor B.K.Aaradhana

3.Minor B.K.Dhayasagar

... Respondents

[Minor respondents 2 &3 represented by
the next friend / guardian / Mother, 1st respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and final orders dated 22.12.2023 passed in I.A.No.4 of 2022 in HMOP.No.307 of 2021 on the file of the Family Judge at Salem and allow the above civil revision petition.

For Petitioner : Mr.R.Nalliyappan

ORDER

Challenging the order of the learned Judge, Family Court, Salem,
directing the revision petitioner/husband to pay the interim maintenance of



Rs.12,000/- per month to the wife and minor children, he is before this

Court.

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2. The revision petitioner is the husband of the first respondent and the father of the respondents 2 and 3. The revision petitioner has filed a petition for divorce on the ground of cruelty in H.M.O.P.No.307 of 2021 on the file of Family Court, Salem. The wife along with her minor children have taken out an application in I.A.No.4 of 2022 seeking a monthly maintenance of Rs.15,000/- to her and Rs.20,000/- for her minor children and also to pay of sum of Rs.30,000/- towards litigation expenses.

3. The Court below taking note of the arguments as well as the evidence on record, has ultimately directed the respondent-husband to pay a monthly maintenance of sum of Rs.12,000/- to the petitioners, that each petitioner would be entitled to a sum of Rs.4,000/-, and to pay a sum of Rs.5,000/- towards litigation expenses. This order is sought to be challenged by the respondent-husband.

4. Heard the learned counsel for the revision petitioner-husband.



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5. The only ground on which the challenge has been made is that the revision petitioner/husband is already taking care of the education of his two minor children and he would submit that the first respondent/wife is not entitled to maintenance, as she has not acted as a dutiful Hindu wife. The two children are aged about 14 years and 8 years respectively. Even according to the revision petitioner/husband, it is only the school expenses of the minor children are being taken care of. Admittedly, the first petitioner/wife is not employed.

6. Therefore, considering the above facts, the monthly maintenance of Rs.12,000/- for three persons would just about to take care of the basic needs. Therefore, I see no reason to interfere with the orders passed by the learned Family Judge, Salem.

7. The civil revision petition is dismissed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

17.04.2025

Neutral Citation : Yes / No
ds



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To:

- 1.The Judge
Family Court
Salem.
- 2.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

ds

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