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CRP. No.1977 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.06.2025**

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP. No.1977 of 2025

and CMP. No.11373 of 2025

R.Arthy

Petitioner(s)

Vs

S.Premkumar

Respondent(s)

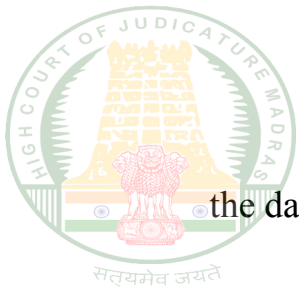
PRAYER: This Civil Revision Petition under Article 227 of the Constitution of India, to set aside the fair and decretal order passed by the learned Principal Subordinate Judge, Virudhachalam dated 19.02.2025 in I.A. No.25 of 2022 in HMOP. No.134 of 2021 and direct the respondent to provide the maintenance to the petitioner from the date of filing the interim Application.

For Petitioner : Mr.E.C.Ramesh

For Respondents : No Appearance.

ORDER

This Revision Petition is filed to set aside the fair and decretal order passed by the learned Principal Subordinate Judge, Virudhachalam dated 19.02.2025 in I.A. No.25 of 2022 in HMOP. No.134 of 2021 and direct the respondent to provide the maintenance to the petitioner from



the date of filing the interim Application.

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2. Heard Mr.E.C.Ramesh, learned counsel for the petitioner. The respondent despite service of notice and name also been printed in the cause list when the case to be taken up today, has not chosen to appear in person or through learned counsel.

3. The petitioner filed an I.A. No.25 of 2022 in HMOP. No.134 of 2021 before the Principal Sub Judge, Virudhachalam, sought for maintenance of Rs.30,000/- and litigation expenses of Rs.20,000/-. The learned Principal Sub Judge, after enquiry has ordered an interim maintenance Rs.20,000/- payable from the date of order. No amount has been ordered towards litigation expenses.

4. The learned counsel for the petitioner fairly states that the petitioner/wife has not challenged the refusal to grant litigation expenses. However, the revision petition is directed only against the fixing the date of the payment of the interim maintenance viz., from the date of order 19.02.2025. The learned counsel would state that the orders in the interim maintenance relate back to the date of the Application and hence,



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the Sub Court ought to have directed payment of the interim maintenance from the date of filing i.e., on 16.06.2022 and not from the date of order i.e., on 19.02.2025

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5. I have gone through the order of the Trial Court. The Trial Court has not even given specific reasons for fixing the date for payment of the interim maintenance from the date of the order, deviating from the normal and settled rule that it is payable from the date of the petition. Hence, I am inclined to set aside the order of the Trial Court in I.A. No.25 of 2022 and accordingly, this Civil Revision Petition is allowed. The interim maintenance is directed to be paid to the petitioner from the date of filing i.e., on 16.06.2022. No costs. Connected Miscellaneous Petition is closed.

23.06.2025

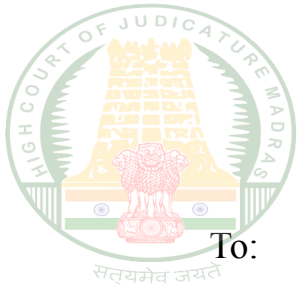
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Index : Yes / No

Internet : Yes / No

P.B.BALAJI, J.,

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To:

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The Principal Sub Judge, Virudhachalam.

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