



C.R.P.No.1860 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.No.1860 of 2025
and CMP.No.10721 of 2025

Dillibabu

... Petitioner

Vs.

Vanipriya

... Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 07.03.2025 passed in Crl.M.P.No.804 of 2024 in D.V.C.No.186 of 2023 on the file of the learned Additional Mahila Court, Egmore.

For Petitioner : Mr.A.Vijayasankar
For Respondents : Mr.K.Balaji

ORDER

Challenge has been made to the order of the Trial Court fixing the monthly maintenance at Rs.10,000/-, the present revision has been filed.

2. An application has been filed by the respondent/wife under Section 23(2) of Protection of Women from Domestic Violence Act, 2005 seeking interim maintenance of Rs.20,000/-. According to her, her



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husband/petitioner is not maintaining herself and her autism child and he is earning Rs.40,000/- per month. Whereas, it is the contention of the husband that he is earning only Rs.12,000/- per month. Further, she has also filed MC.No.173 of 2023 on the file of the learned III Additional Family Court, Chennai. The Trial Court taking note of the facts that no maintenance has been ordered by any of the proceedings and also the autism child is in the custody of the wife has ordered interim maintenance of Rs.10,000/-. Challenging the same, the present revision has been filed.

3. Heard both sides and perused the materials placed on record.

4. On perusal of the entire materials placed before this Court, this Court is of the view that the order of the trial court ordering interim maintenance of Rs.10,000/- does not require interference for the simple reason that the interim maintenance is not only ordered to the wife alone but also towards maintenance of minor child identified with rare medical disorder namely autism necessitating special care and attention. Further, mere pendency of other proceedings under Section 144 of Bharatiya Nagarik Suraksha Sanhita or under Section 24 of the Hindu Marriage Act



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itself is not a bar to grant maintenance to the wife. However, it would be inequitable to direct the husband to pay maintenance under each of the proceedings, independent of the relief granted in a previous proceedings. Admittedly, in this case, maintenance has not been ordered in any other proceedings. Such view of the matter, in any other proceedings, the amount ordered by the Trial Court in order dated 07.03.2025 as interim maintenance shall be taken note of while any maintenance being ordered under Section 144 of Bharatiya Nagarik Suraksha Sanhita or under Section 24 of the Hindu Marriage Act.

5. Such view of the matter, I do not find any merits in this revision and this revision fails. Accordingly, this revision stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

17.07.2025

dhk
Internet : Yes/No
Index : Yes/No
Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To

- 1.The Metropolitan Magistrate
Additional Mahila Court,
Egmore, Chennai
2. The Section Officer,
VR Section,
High Court, Madras.

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