



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI
CRP.No.2288 of 2025
and CMP. No.13252 of 2025

J.Rajkumar

... Petitioner

Vs.

Mrs.L.Thulasi

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order passed in I.A. No.3 of 2024 in HMOP. No.4574 of 2023 dated 28.03.2025, on the file of the learned II Additional Principal Judge, Family Court, Chennai.

For Petitioner : Ms.T.Nithya
For Respondent : Mr.S.Nagarajan

ORDER

The revision is challenging the order of interim maintenance of Rs.20,000/- awarded by the learned II Additional Principal Judge, Family Court, Chennai.

2. Heard learned counsel for the petitioner, Ms.T.Nithya and the learned counsel for the respondent, Mr.S.Nagarajan.

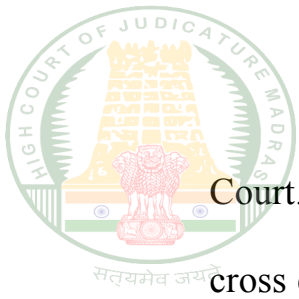


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3. The Family Court has conducted an enquiry and no documents have been exhibited on the side of the parties. However, in the revision petition, the petitioner/husband has enclosed bank statement of the respondent/wife to establish that the respondent/wife is getting periodical and substantial income from various sources and therefore, she does not need any interim maintenance to sustain herself which is the object of Section 24 of the Hindu Marriage Act, 1955.

4. The learned counsel for the respondent per contra, would submit that none of the documents have been exhibited before the Family Court and therefore, no fault can be found with the findings rendered by the Family Court, which was on the available pleadings and circumstances that were putforth by the parties before the Family Court.

5. However, considering that the Bank Statement of the respondent/wife is now produced before this Court, prima facie showing that the respondent/wife is getting substantial income by way of credit into her Bank Account, I deem it fit to set aside the order, in order to give an opportunity to the parties to file documentary evidence before the Family



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Court. It shall be open to the parties to lead oral evidence also in chief and cross examination to substantiate the claims in relating to the documents so produced and submit the same by way of oral and documentary evidence.

6. Accordingly, the impugned order in I.A. No.3 of 2024 in HMOP. No.4574 of 2023 dated 28.03.2025, on the file of the learned II Additional Principal Judge, Family Court, Chennai is set aside and the matter is remitted to Family Court for disposal of I.A. No.3 of 2024 in HMOP. No.4574 of 2023 dated 28.03.2025 within a period of three months from today.

7. In fine, this Civil Revision Petition is allowed. No costs. Connected Miscellaneous Petition is also closed.

30.06.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

rkp

To

The II Additional Principal Judge,
Family Court, Chennai.



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P.B.BALAJI.J.,

rkp

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