



C.R.P. (PD) No.3275 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 19.08.2025
PRONOUNCED ON : 22.08.2025

CORAM:

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

C.R.P. (PD) No.3275 of 2025
and
C.M.P. No.18106 of 2025

Dr. B. Aathirai ... Petitioner

vs.

T. Ravindhran ... Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order, dated 27.05.2025 made in I.A. No.3 of 2024 in H.M.O.P. No.3176 of 2023 passed by the III Additional Principal Family Court, Chennai and grant a sum of Rs.75,000/- towards interim maintenance to the petitioner pending disposal of the case HMOP No.3176 of 2023.

For Petitioner : Mrs.K. Udayaselvi

For Respondent : Mr.Ralph V. Manohar

ORDER



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The wife, aggrieved by the dismissal of her application for interim maintenance has come up by way of this Civil Revision Petition.

2. The petitioner had filed I.A. No.3 of 2024 in H.M.O.P. No.3176 of 2023 seeking interim maintenance of Rs.75,000/-. The said application was resisted by the husband stating that the petitioner did not discharge any of her duties as a wife, including her conjugal obligations and she had left the matrimonial home abruptly without any rhyme or reason and further the petitioner has joined MDS course in a private College, where she is entitled to Post Graduate (P.G.) stipend of Rs.43,000/- for the first year; Rs.45,000/- for the second year and Rs.47,000/- for the third year. Therefore, according to the respondent, the petitioner-wife is not entitled for any interim maintenance.

3. The learned III Additional Principal Family Court, Chennai relying on Ex.R2 viz., G.O. relating to the entitlement of stipend, proceeded to hold that the petitioner being entitled to get stipend for the P.G. course, cannot claim any interim maintenance. Aggrieved by the said order in I.A. No.3 of 2024 in H.M.O.P. No.3176 of 2023, the wife has preferred the above revision.

4. I have heard Mrs.K. Udayaselvi, learned counsel for the revision



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petitioner and Mr.Ralph V. Manohar, learned counsel for the respondent.

WEB COPY 5. The learned counsel for the petitioner would rely on the G.O.

that has been put against the petitioner and state that the said G.O. does not apply to private Medical Colleges, but, referring to G.O. Ms. No.28, dated 21.06.2024 she would state that the entitlement of stipend is only for students of medical colleges and would not apply to the petitioner, who is only pursuing MDS at Indira Gandhi Dental College, Puducherry. She would also state that the petitioner has been getting a stipend of only Rs. 5,000/- p.m., and thus, the order passed by the III Additional Principal Family Court, without even affording an opportunity to the petitioner to rebut the contentions of the respondent- husband, regarding stipend is fallacious and liable to be set aside.

6. Per contra, Mr.Ralph V. Manohar, learned counsel for the respondent would state that the petitioner has not even disclosed even the factum of getting Rs.5,000/- as stipend and in all fairness, she should have disclosed the same in her application for interim maintenance. He would further state that the petitioner is not entitled to claim any interim maintenance as she is self sufficient and there is no requirement for the petitioner to maintain the petitioner, who left her matrimonial home



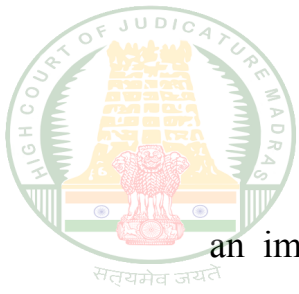
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voluntarily. He would therefore, prays for dismissal of this revision petition.

7. I have carefully considered the submissions advanced by the learned counsel on either side.

8. I have also directed the petitioner to get some communication from the College regarding the stipend that she is eligible. The learned counsel for the petitioner has filed an additional typed set of papers on 19.08.2025, which contains the bank statement for the period from 09.01.2024 to 09.07.2025. The same evidences the payment of Rs.5,000/- alone towards stipend from the College, where the petitioner is now pursuing her P.G. course. The bank statement does not disclose any further or new amounts being credited under different heads from the institution, where the petitioner is undergoing her P.G. course. In view of the above, it is clear that the petitioner is only receiving a stipend 5,000/-p.m., and not Rs.45,000/- as claimed by the respondent, which forms the basis of the order of the dismissal by the Family Court disentitles the petitioner for interim maintenance.

9. It is seen from the assets and liabilities filed on behalf of the respondent that he earns Rs.92,000/-p.m. and he is working as Business Manager in M/s.Tech Data India, Chennai. The respondent also owns



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an immovable property at Sathyamangalam Village, Madurai District,

besides bank accounts with five different banks. Admittedly, the petitioner and the respondent are not blessed with any children. Considering the income of the respondent and keeping in mind, the objects of Section 24 of the Hindu Marriage Act, to provide interim maintenance to ensure that the petitioner leads a comfortable life, atleast on par with the standards of life lived by the husband and also to enable her to meet the expenses in connection with the litigation, I am of the considered opinion that a sum of Rs.20,000/- would be a fair and reasonable amount to be paid by the respondent /husband towards interim maintenance, taking into account a sum of Rs.5,000/-p.m. which is already been accruing with the petitioner.

10. In the light of the above, the order passed by the Additional Principal Family Court, Chennai in I.A. No.3 of 2024 in H.M.O.P. No.3176 of 2023 is hereby set aside and the respondent is directed to pay interim maintenance of Rs.20,000/-p.m., which shall be payable from the date of filing of I.A. No.3 of 2024, i.e., from July 2024 onwards till disposal of H.M.O.P. No.3176 of 2023. The arrears at the rate of Rs.20,000/-p.m. upto date, shall be paid, within a period of eight weeks from the date of receipt of a copy of this order.



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11. With the aforesaid directions, this Civil Revision Petition

stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

22.08.2025

Internet: Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

P.B. BALAJI, J.

vsi2

To

6/7



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The III Additional Principal Family Court,
Chennai.

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PRE-DELIVERY ORDER
IN
C.R.P. (PD) No.3275 of 2025
and
C.M.P. No.18106 of 2025

22.08.2025