



C.R.P.No.3659 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3659 of 2025

B.Praveen

... Petitioner

vs.

C.M.Bemi

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set-aside the order and decretal order in I.A.No.2 of 2024 in O.P.No.4195 of 2024 dated 17.05.2025 on the file of learned III Additional Principal Family Court at Chennai and thereby allow the above civil revision petition.

For Petitioner : Mr.S.Sathish
for M/s.T.Sundaravadanam

For Respondent : Mr.R.Karthik
for M/s.R.K.Law Firm



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ORDER

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The Civil Revision Petition is filed by the petitioner/husband challenging the order passed by the III Additional Principal Family Court, Chennai in I.A.No.2 of 2024 in O.P.No.4195 of 2024, dated 17.05.2025 directing him to pay a sum of Rs.30,000/- per month towards interim maintenance, apart from direction to pay a sum of Rs.10,000/- towards litigation expenses.

2. The petitioner/husband filed original petition in O.P.No.4195 of 2024 seeking divorce. In the said petition, the respondent/wife filed an application seeking interim maintenance at the rate of Rs.1,00,000/- per month. The III Additional Principal Family Court, Chennai, directed the petitioner/husband to pay a sum of Rs.30,000/- per month and aggrieved by the quantum of interim maintenance, the petitioner/husband has come before this Court.

3. The learned counsel appearing for the petitioner would submit that the petitioner is self-employed person doing a business in the AC spare parts



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and his monthly income is only Rs.30,000/-. In such circumstances, the quantum of interim maintenance awarded by the III Additional Principal Family Court is highly excessive.

4. The learned counsel appearing for the respondent would submit that the petitioner's Educational Qualification is M.Sc., (Integrated) Software Engineering and he is owning a flat at OMR, Chennai, worth about Rs.30,00,000/- and his monthly income is Rs.9,00,000/- per month through various business. Therefore, the learned counsel appearing for the respondent would submit that the amount of Rs.30,000/- fixed by the III Additional Principal Family Court is not excessive.

5. Before the III Additional Principal Family Court, Chennai, both the parties filed their affidavit of assets and liabilities. A perusal of affidavit of assets and liabilities filed by the petitioner/husband would indicate that he claimed monthly income at the rate of Rs.30,000/-. Further, it is seen that he obtained business loan and a sum of Rs.11,42,498/- is outstanding due amount. Though the petitioner claimed his monthly income was Rs.30,000/-, in the very same affidavit of assets and liabilities he mentioned his net income from the business was Rs.5,00,000/- per year.



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6. It is admitted fact that the respondent/wife is an Advocate and as per affidavit of assets and liabilities, her monthly income was claimed as Rs.15,000/-. A further perusal of the affidavit would indicate that the respondent possessed 4 credit cards with credit limit of Rs.1,10,000/-, Rs.1,00,000/-, Rs.1,00,000/- and Rs.1,26,000/-. Having regard to the fact that the respondent possessed 4 credit cards with a combined credit limit of Rs.4,36,000/-, we can easily come to the conclusion that the respondent has got reasonable income and she is not a person without any source of income, unable to maintain herself.

7. Having regard to the facts culled out from the affidavit of assets and liabilities of both the parties, this Court feels that a sum of Rs.30,000/- fixed by the III Additional Principal Family Court, Chennai, is on higher side. Having regard to the Educational Qualification of the petitioner/husband and the facts found in the affidavit of assets and liabilities of both the parties, this Court feels that a sum of Rs.15,000/- per month would be just and reasonable interim maintenance in the case on hand.



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8. It is made clear that the quantum of interim maintenance fixed by this Court is only interim in nature and the same is subject to the permanent alimony, if any fixed by the III Additional Principal Family Court, Chennai at the time of final disposal of the main original petition.

9. Accordingly, the Civil Revision Petition stands partly allowed and the interim maintenance fixed by the III Additional Principal Family Court, Chennai is reduced to Rs.15,000/- per month. In other respects, the order passed by the III Additional Principal Family Court, Chennai stands confirmed. No costs.

17.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The III Additional Principal Family Court,
Chennai.



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S.SOUNTHAR, J.

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