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CRP No.3729 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No.3729 of 2024 and CMP No.20247 of 2024

T.Duraivel

... Petitioner

Vs

Mrs.V.Malathi

... Respondent

Revision filed under Article 227 of the Constitution of India to set aside the fair and decreetal order in I.A.No.1 of 2023 in HMOP No.68 of 2019 dated 29.02.2024 passed by Sub Court, Ponneri.

For Petitioner : Mr.G.Jayakumar

For Respondent : Mr.P.Veeraraghavan

ORDER

The parties, even on the earlier occasion agreed that there is no dispute with regard to the rights of the father to visit the minor child and the said arrangement in place can continue until further orders.

2. Insofar as the amounts payable towards maintenance, it is seen that the Sub Court, Ponneri has ordered a sum of Rs.15,000/-(Rupees Fifteen



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Thousand Only) to be paid as interim maintenance and the salary of the petitioner is being attached and deposited to the court, there is some grey area with regard to the actual amount which is liable to be attached and payable to the respondent/wife.

3. However, learned counsel for the petitioner would fairly submit that a sum of Rs.6,17,035/-(Rupees Six Lakhs Seventeen Thousand thirty five only) is the admitted liability and the petitioner has no objection for the respondent/wife to withdraw the said amount.

4. Insofar as the balance amount lying in the Court deposit, the matter shall be left open and the executing court shall decide the entitlement of the wife. It is made clear that insofar as payment of maintenance amount from the month of November 2025 onwards, the petitioner shall comply with the order of the Family Court and shall pay the same directly to the respondent/wife.

5. The father shall have a visitation right to see the child, twice a month, which will be on Sundays, at V.R.Mall, Anna Nagar, Chennai between 4.00 p.m and 6.00 p.m, instead of what has been agreed in the order



dated 03.10.2025.

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6. Considering that HMOP No.68 of 2019 has been pending from 2019 onwards. the Sub Court, Ponneri is directed to try both the petitions filed by the parties, one for divorce and another for restitution of conjugal rights jointly and dispose of the same on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

7. In view of the above order, the order of attachment of the petitioner's salary shall stand raised as the petitioner has given an undertaking in respect of maintenance payable from November 2025 onwards and the petitioner shall pay the same directly to the respondent/wife.

8. With the above direction, the civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.11.2025

Index:yes/no
Website:yes/no
Speaking Order/Non-Speaking Order
sr

To

3/5



The Sub Court, Ponneri

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P.B.BALAJI,,J

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