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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

C.R.P.No.3692 of 2022

and

C.M.P.No.19527 of 2022

D.Preethi,
Manganpatti Village,
Kallalathoor Post,
Gudiyatham Taluk,
Vellore District.

... Petitioner/Petitioner/Respondent

Vs.

M.Gnanasekhar,
Pudhur Village,
B.N.Palayam Post,
Katpadi Taluk, Vellore District.

... Respondent/Respondent/Petitioner

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the Order passed in I.A.No.01 of 2020 in H.M.O.P.No.33 of 2022 on the file of Subordinate Judge, at Katpadi, Vellore District vide order dated September 21, 2022 and consequently, direct the Respondent to pay the interim maintenance.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.M.Duraimurugan,

No appearance.

ORDER

Aggrieved by the dismissal Order passed in I.A.No.1 of 2020 in H.M.O.P.No.33 of 2022 dated September 21, 2022 by “The Sub-ordinate Court, Katpadi” (henceforth “Trial Court”) in Interlocutory Application

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filed under Section 24 of the Hindu Marriage Act, 1955, the Revision Petitioner/Wife has filed the present Civil Revision Petition under Article 227 of the Constitution of India, 1950.

2. The marriage between the Revision Petitioner and the Respondent solemnised on February 20, 2014. Owing to misunderstanding between the Petitioner and Respondent, they are living separately. The Revision Petitioner contended that she has no independent source of income and she is unable to maintain herself.

3. The learned Counsel for the Revision Petitioner submitted that the Respondent is working as a welder and was earlier employed in Singapore, earning a sum of Rs.70,000/- per month. Even after returning to India, he continues to work as a welder and is earning not less than Rs.70,000/- per month. Therefore, the Revision Petitioner sought interim maintenance of Rs.25,000/- per month along with the litigation expenses of Rs.15,000/-.

4. The Respondent filed his counter and resisted the Petition. The Trial Court, after hearing both sides, dismissed the I.A. filed by the Revision Petitioner by, holding that the Petitioner therein has failed to



prove the income of the Respondent and sufficient reason to claim interim maintenance.

5. Mr.M.Sathish Kumar, learned Counsel for the Revision Petitioner submitted that the Trial Court failed to appreciate the fact that the Respondent is working as a welder and earning a sum of Rs.70,000/- per month. He further submitted that the Petitioner does not have any source of income and is not in a position to maintain herself. Therefore, he prayed to allow the Revision Petition and set aside the Order passed by the Trial Court and consequently allow the Interlocutory Application in I.A.No.1 of 2020 and grant interim maintenance to the Petitioner.

6. Despite sufficient service of notice on the Respondent, there was no appearance on his behalf.

7. This Court has carefully considered the submissions made by the learned Counsel appearing for the Revision Petitioner and perused the materials available on record. Considering the affidavit filed by the Revision Petitioner/Wife and the income attributed to the Respondent, it can be discerned that the Respondent has not disclosed his actual income



before the Trial Court.

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8. Taking into consideration the facts and circumstances of the case, this Court is inclined to allow the Revision Petition in part. Accordingly, the Respondent is directed to pay a sum of **Rs.7,500/- (Rupees Seven Thousand Five Hundred Only) per month** as an interim maintenance to the Revision Petitioner/Wife from the date of the petition till the disposal of **H.M.O.P.No.33 of 2022**.

9. In the result, this Civil Revision Petition is **partly allowed** and the Order passed by the Trial Court in I.A.No.1 of 2020 on September 21, 2022 is set aside. The Respondent is directed to pay a sum of **Rs.7,500/- (Rupees Seven Thousand Five Hundred Only) per month** as an interim maintenance to the Revision Petitioner from the date of the petition (i.e. I.A.No.1 of 2020) till the disposal of H.M.O.P.No.33 of 2022. Considering the facts and circumstance of the case, there shall be no order as to costs. Consequently, connected civil miscellaneous petition is closed.

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To:

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1. The Subordinate Judge, at Katpadi, Vellore District.
2. The Section Officer,
V.R.Section,
High Court of Madras.



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R. SAKTHIVEL.J.

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