



C.R.P.No.20 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.No.20 of 2025

C.M.P.No.159 of 2025

K.Karthik

...Petitioner

Vs

R.Hamsa Priya @ Preethi

...Respondent

PRAYER :- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleaded to set aside the order and decree in I.A.No. 6 of 2024 in O.P.No.5262 of 2022 dated 23.10.2024 on the file of the Learned IV Additional Principal Judge, Family Court, Chennai.

For Petitioner : Mr.S.Krishnasamy

For Respondent : M/s.A.Athishayaa

ORDER

The respondent husband is the petitioner before this Court challenging the order directing him to pay a sum of Rs.60,000/- each towards maintenance of his two children.

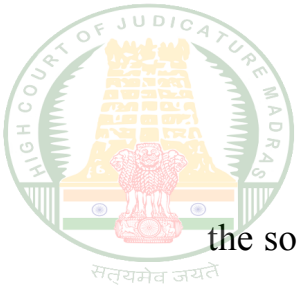


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2.The learned IV Additional Principal Judge, Family Court,

Chennai, who has passed this order in I.A.No.6 of 2024 in O.P.No.5262

of 2022 has taken into account the fact that the petitioner herein was earning a gross salary of Rs.3,76,375/- per month. The learned counsel for the revision petitioner would submit that this is a misconception on the part of the learned Judge. The salary slip contains one head which is an YTD amount which is an Year to date accounting. Year to date salary is the value accrued from the beginning of the financial year till the current year. The YTD stands for a cumulative total of the earnings or expenses from the beginning of the fiscal year up to the current date, whereas monthly salary is the amount that an employee receives each month for the work done by him. Therefore, the learned Judge ought to have considered the salary amount and not the YTD amount. If that is taken into account then the gross salary of the petitioner is Rs.1,88,187/-. The learned Judge has added the YTD amount and the salary amount to arrive at a gross salary which is absolutely erroneous. The learned Judge has proceeded to provide a compensation of Rs.60,000/- on this basis, whereas, the petitioner's actual salary is half of the said amount. That apart, the respondent wife is also an employee and earning a handsome salary. That apart the petitioner is taking care of the school fees of both



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the sons. He is paying the rent for the house in which respondent and the children stay which is a sum of Rs.22,000/- per month. That apart he is paying fees for the school bus for both the sons. Therefore, considering the fact that the monthly maintenance has been based on an erroneous understanding of the salary slip and taking note of the fact that the gross salary is now half of the said amount, the Civil Revision Petition is partly allowed and the monthly maintenance is reduced to sum of Rs.30,000/- each.

3. Accordingly, this Civil Revision Petition is partly allowed with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

11.03.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J,

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To

IV Additional Principal Judge, Family Court, Chennai.

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