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CRP(PD).No.18 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).No.18 of 2025

and

CMP.No.134 of 2025

R. Uma Bharathy @ R.Uma

... Petitioner

Vs.

T.R.Ganesh

... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to allow this CRP and set aside the order dated 28.11.2024 made in IA.No.4 of 2024 in HMOP.No.1964 of 2016 on the file of the Hon'ble Principal Family Court, Chennai.

For Petitioner : M/s.D.Manimaran

ORDER

Challenging the order passed by the learned Principal Family Judge, Chennai, the petitioner/wife is before this Court.

2.Brief Facts:-



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3. HMOP.No.1964 of 2016 on the file of the Principal Family Court, Chennai has been filed by the respondent/husband seeking divorce on the ground of cruelty.

4. HMOP.No.1293 of 2024 on the file of the Principal Family Court, Chennai has been filed by the petitioner/wife seeking restitution of conjugal rights.

5. Both cases are being jointly tried. Pending the above HMOPs, the petitioner/wife had taken out an application in IA.No.4 of 2024 in HMOP.No.1964 to direct the respondent/husband to pay a sum of Rs.30,000/- per month to the petitioner/wife as interim maintenance and Rs.50,000/- towards litigation expenses.

6. In the affidavit filed in support of IA.No.4 of 2024 the petitioner/wife would submit that her husband works as Sub Post Master drawing a salary of Rs.88,000/- per month and apart from that he also collects money from his sister-in-law who works as a Ophthalmologist in the Government Hospital to the tune of Rs.50,000/- as she resides in the respondent's house as a paying guest.



That apart, it is her case that the respondent had received his paternal aunt's pension till April 2023.

7. The petitioner would submit that the respondent owns immovable properties which are now worth over a sum of Rs.1.5 crores. The petitioner would submit that she is unemployed, currently residing with her aged mother and suffering from various ailments and therefore, she requires to be maintained.

8. The respondent had filed a counter denying the allegations contained in the petition and submitted that he is a pensioner, drawing a pension of Rs.36,000/- per month and that his sister lives in Salem and not in the property as stated by the petitioner. That apart, the property has been transferred in the name of his sister according to the desire of his father and the respondent is living in a rented house along with his mother who he has to support. The respondent would submit that his daughter is also living with him and he has to take care of her needs also.

9. The respondent would submit that the petitioner had taken



away all his savings and left him in the lurch. He would submit that the petitioner is living a lavish life and to meet her lavish lifestyle, the present petition has been filed. Therefore, he prayed for the dismissal of the petition.

10. The learned Principal Family Court, Judge, Chennai after considering the arguments and perusing the records had partly allowed the petition and directed the respondent to pay a monthly maintenance of Rs.7,500/- to the petitioner till the disposal of the main petition and also directed the respondent to pay a sum of Rs.25,000/- towards litigation expenses. Challenging the same the petitioner is before this Court.

11. Heard the counsel for the petitioner.

12. The petitioner had come forward with several allegations, all of which are found to be untrue. The contention of the petitioner that her husband is working as a Sub Post Master and earning a sum of Rs.88,000/- per month is false as the respondent is a retired Sub Post Master and receiving only a pension of Rs.36,000/- per month. The



contention of the petitioner that the respondent is receiving a sum of Rs.50,000/- from his sister has also not been proved by the petitioner.

Further, the respondent is taking care of his daughter and the petitioner does not have the responsibility to take care of the daughter.

The respondent has to also take care of his aged mother. All of which he has to meet from his pension amount. Therefore, the order passed by the learned Principal Family Court Judge, Chennai in IA.No.4 of 2024 dated 28.11.2024 is very much in order and I see no reason to interfere with the same.

13. In fine, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

03.02.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Principal Family Court, Chennai.

P.T. ASHA. J.,



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