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CRP.No.5913 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 08.12.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**CRP.No.5913 of 2025 and**

**CMP.No.29213 of 2025**

A.Karthikeyan

... Petitioner

Vs.

Vimala @ Mary Vimala Vinnarasi

...Respondent

**PRAYER** :Civil Revision Petition filed Article 227 of Constitution of India, praying to set aside the order and decretal order passed in IA.No.3 of 2024 on 06-10-2025 on the file of the Family Court Judge, Tiruvannamalai.

For Petitioner

: M/s.K.Muthamil Raja

**ORDER**



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The Civil Revision Petition is filed challenging the order passed by the Trial Court allowing the application filed by the respondent/wife seeking interim maintenance.

2.The petitioner/husband filed divorce petition against the respondent/wife on the ground of cruelty. The said main OP was resisted by the respondent by filing counter affidavit. Pending OP, the respondent filed application seeking interim maintenance at the rate of Rs.25,000/- per month. She also sought for litigation expenses at the rate of Rs 25,000 per month. The trial court allowed the said application and directed the petitioner to pay a sum of Rs.5000/- per month as interim maintenance. He was also directed to pay a sum of Rs.10,000 towards the cost of the petition. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the Petitioner submitted that the respondent is



living in adultery and therefore, she is not entitled to any maintenance. In support of the said submission, he has taken this court to the averment made in paragraph No. 13 of the counter filed by him in the interim maintenance application.

4. A perusal of the averment in Paragraph No. 13 of counter filed by the petitioner would indicate that the allegation of adultery made against the respondent is omnibus one and the same is not specific. Further, the petitioner filed divorce application only on the ground of cruelty. In the main OP, the petitioner has not made any allegation of adultery against the respondent. As soon as the respondent filed application seeking interim maintenance, the petitioner has filed counter with omnibus allegation of adultery. Therefore, this Court feels that omnibus allegation made by the petitioner in the counter affidavit appear to be afterthought.

5. As per the impugned order, the petitioner is working as a Programmer in the District Collectorate, Thiruvannamalai District and earning a sum of



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Rs.29,656/-. Taking into consideration the income of the petitioner and the financial status of the respondent, the court below fixed a moderate sum of Rs.5000/- per month as interim maintenance. I do not find any error in the order passed by the court below. Accordingly, the Civil Revision Petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

**08.12.2025**

Index : Yes / No  
Internet : Yes / No  
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To

The Family Court, Tiruvannamalai.

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**S.SOUNTHAR, J.**

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