



C.R.P.No.5733 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5733 of 2025

and

C.M.P.No.28548 of 2025

S.Gunasundari

... Petitioner

vs.

P.Bharathi

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the Fair and Decretal Order dated 22.09.2025 passed in I.A.No.8 of 2025 in F.C.O.P.No.460 of 2022 on the file of the Family Court Judge of Erode by allowing the Revision Petition.

For Petitioner : Mr.T.S.Baskaran

For Respondent : Mr.C.Prakasam

ORDER



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WEB COPY Aggrieved by the quantum of interim maintenance fixed by the Family Court, Erode, the petitioner/wife has come before this Court seeking enhancement of compensation.

2. Mr.C.Prakasam, learned counsel takes notice for the respondent.

3. The respondent herein filed a petition for divorce on the ground of cruelty against the petitioner in H.M.O.P.No.460 of 2022. Pending main original petition, the petitioner/wife filed an application in I.A.No.8 of 2025 seeking interim maintenance of Rs.40,000/- per month for the petitioner and her minor daughter. The petitioner also sought for a payment of Rs.2,00,000/- towards litigation expenses.

4. The Family Court passed impugned order directing the respondent to pay a sum of Rs.10,000/- per month to the petitioner's daughter-G.B.Inithra. Apart from the direction to the respondent to pay school fees and other miscellaneous expenses as per the requirement of the school, the respondent was also directed to pay a sum of Rs.20,000/- towards litigation



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expenses. The Family Court found the petitioner was capable of maintaining herself on her own and hence, not awarded any interim maintenance to the petitioner. Not satisfied with the said order, the petitioner/wife has come before this Court.

5. The learned counsel appearing for the petitioner would submit that the petitioner is only working as a Assistant in a School, earning a sum of Rs.9,000/- per month and the same is not sufficient having regard to the status of the parties, especially earning capacity of the respondent. He further submitted that having regard to the income of the respondent, the amount of Rs.10,000/- awarded by the Family Court towards interim maintenance to the child is not at all sufficient.

6. The learned counsel for the respondent would submit that the petitioner is gainfully employed and her income was also proved before the Family Court and hence, taking into consideration the said fact the Family Court ordered reasonable sum as a interim maintenance and it requires no interference by this Court.

7. Heard the learned counsel appearing for the petitioner and learned



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counsel appearing for the respondent.

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8. It is seen from the typed-set of papers the petitioner is employed in Ashram School, Kollampalayam and drawing a salary of Rs.9,000/- per month. The Family Court noted in its order that in the Salary Certificate produced by the petitioner the monthly income was mentioned only as Rs.9,000/-. It is seen from the affidavit of assets and liabilities filed by the respondent/husband that he is a B.E., (Computer Science) Graduate and gainfully employed in a Multinational Company namely CISCO SYSTEMS INDIA PRIVATE LIMITED. The respondent in his affidavit of assets and liabilities clearly admitted that his monthly income was Rs.1,14,000/- per month.

9. Having regard to the monthly income of the respondent and the present monthly income of the petitioner, this Court feels a sum of Rs.9,000/- earned by the petitioner is not sufficient to maintain the quality of life, as she had in her matrimonial home. Therefore, this Court feels the respondent shall be directed to pay a sum of Rs.5,000/- per month towards maintenance of the petitioner/wife. Having regard to the monthly income of



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the respondent, a sum of Rs.10,000/- ordered to be paid to the minor child of the petitioner is not sufficient and this Court feels the respondent shall be directed to pay a sum of Rs.15,000/- per month towards interim maintenance to the petitioner's school going child.

10. This quantum of interim maintenance is fixed by this Court taking into consideration the quality of the life, the petitioner and her children would have had in the matrimonial home of the respondent. After all, the quantum of interim maintenance fixed by this Court is subject to permanent alimony, if any to be ordered at the time of final disposal of the main original petition. Therefore, this Court taking into consideration the meagre income of the petitioner and also the admitted income of the respondent, is inclined to enhance the interim maintenance payable by the respondent to the petitioner and her minor child as stated above.

11. Accordingly, the Civil Revision Petition is partly allowed. The respondent/husband is directed to pay a sum of Rs.5,000/- per month to the petitioner/wife as interim maintenance. The respondent/husband is also directed to pay a sum of Rs.15,000/- per month to the minor child. The



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above said sum shall be paid by the respondent from the date of petition (i.e., 19.05.2025). The monthly interim maintenance amount shall be paid on or before 10th of every succeeding month. The arrears of interim maintenance shall be paid within a period of four weeks from the date of receipt of copy of this order. No costs. Consequently, the connected civil miscellaneous petition is closed.

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Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

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S.SOUNTHAR, J.

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