



C.R.P.(MD)No.58 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD].(MD)No.58 of 2024

and

C.M.P.(MD)No.305 of 2024

Jeyaganesh

... Petitioner

Vs.

Manickka Prabha

... Respondent

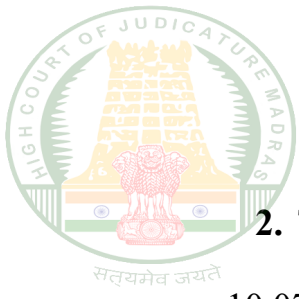
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decretal order dated 16.10.2023 in I.A.No.1 of 2023 in H.M.O.P.No.22 of 2022, on the file of the Sub-Court, Ambasamudram.

For Petitioner : Mr.P.Selvakamatchi

For Respondent : Mr.H.Arumugam

ORDER

This petition has been filed seeking to to set aside the fair and decretal order dated 16.10.2023 in I.A.No.1 of 2023 in H.M.O.P.No.22 of 2022, on the file of the Sub-Court, Ambasamudram.



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2. The marriage between the petitioner and respondent was solemnized on 10.07.2013 and they blessed with a female child on 05.09.2014. Subsequently, there was a matrimonial dispute between them. Therefore, the petitioner filed H.M.O.P.No.22 of 2022 before the Sub-Court, Ambasamudram for decree of divorce on the ground of cruelty. In the aforesaid proceedings, the respondent filed I.A.No.1 of 2023 seeking interim maintenance. The trial Court has partly allowed the said application and directed the petitioner to pay a sum of Rs.5,000/- each to the respondent and the child. Challenging the said order, the petitioner has filed the present Civil Revision Petition.

3. The learned counsel appearing for the petitioner would submit that this civil revision petition has been filed to set aside the order passed in I.A.No. 1 of 2023, dated 16.10.2023 solely on the ground that the respondent is working as Assistant Professor in Scott Institution at Cheranmahadevi and earning a sum of Rs.18,857/- as monthly salary. When the respondent is able to maintain herself she is not forcing the petitioner to pay the monthly maintenance. However, the petitioner is liable to pay necessary amount for the child and prays for allowing the civil revision petition.

4. The learned counsel for the respondent would submit that the petitioner is earning a sum of Rs.30,000/- per month as Assistant Engineer. At the time of



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filing the Interlocutory Application, the respondent earning Rs.18,000/-, however, subsequently, her service was terminated and now she is not earning. Therefore, the trial Court has rightly ordered monthly maintenance of Rs. 5,000/- each and there is no interference is required in this case.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is working as Assistant Engineer and he is earning a sum of Rs.30,000/- per month, the respondent is not now working and her service was terminated and it is the duty of the petitioner to maintain the respondent and their child by paying the monthly maintenance, the trial Court, after considering all the evidence, has rightly awarded the monthly maintenance of Rs.5,000/- each to the respondent and her child and it is just and reasonable and this Court is not inclined to interfere with the order of the trial Court.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.07.2025

Internet: Yes/No

Index: Yes/No

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To

- 1.The Sub-Court,
Ambasamudram
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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