



C.R.P(MD)No.97 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.01.2025**

CORAM

**THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.97 of 2025
and
C.M.P(MD)No.592 of 2025

R.Arjun

... Petitioner

Vs.

M.Nandhini Devi

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the order passed in I.A.No.173 of 2022 in H.M.O.P.No.123 of 2022 on the file of the Court of Hon'ble Family Court, Ramanathapuram District, dated 30.11.2023 and to set aside the same and to pass such other further or other orders as this Court.

For Petitioner : Mr.R.Babu Jaganath



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ORDER

The present Civil Revision Petition is preferred against the order passed in I.A.No.173 of 2022 in H.M.O.P.No.123 of 2022 on the file of the Family Court, Ramanathapuram District, dated 30.11.2023.

2. According to the petitioner, he is the husband and the respondent is the wife and due to some matrimonial discord, the respondent / wife left the matrimonial home. Thereafter, the petitioner / husband preferred H.M.O.P.No.123 of 2022 for divorce on the ground of cruelty and desertion. Pending H.M.O.P, the respondent / wife took out an application in I.A.No.173 of 2022 under Section 24 of the Hindu Marriage Act, 1955 seeking interim maintenance. In the said application the respondent / wife claimed Rs.30,000/- per month as maintenance for herself and Rs.15,000/- to maintain the child. She also claimed another Rs.50,000/- as litigation expenses. The said application was resisted on the side of the respondent stating that he is jobless and that the respondent / wife is working as a teacher in a private school. His further contention was that the petitioner was under the obligation to take care of his aged parents. However, the Trial Court considering the averments



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made in the petition and in the counter affidavit and the arguments advanced on both sides, directed the respondent to pay a sum of Rs.6,000/- as interim maintenance to the petitioner. Assailing the said order, the present revision is preferred.

3. The learned Counsel appearing for the revision petitioner contends that the Trial Court lost sight that the petitioner is jobless and also without any asset and liability statement, erroneously directed the revision petitioner to pay a sum of Rs.6,000/- per month as interim maintenance to the respondent. Therefore, the order of the Trial Court requires consideration by this Court.

4. On perusal of records it is seen that the respondent / wife is living along with the child and that there is no evidence on record to show that she is having sufficient source of income to maintain herself and the child. It is also not established that the revision petitioner is jobless. Therefore, there is no infirmity or perversity in the impugned order passed by the Trial Court.



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5. Accordingly, this revision petition stands dismissed as devoid of merits. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

22.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

The Family Court,
Ramanathapuram District.



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K.GOVINDARAJAN THILAKAVADI, J.

BTR

Order made in
C.R.P(MD)No.97 of 2025

22.01.2025