



C.R.P.(MD)No.210 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.(MD)No.210 of 2024

and

C.M.P.(MD)No.887 of 2024

M.Muthukumar

... Petitioner

Vs.

M.Pavithra

... Respondent

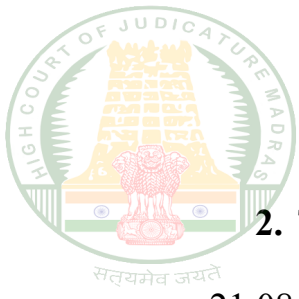
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decretal order dated 27.11.2023 passed in I.A.No. 1 of 2023 in H.M.O.P.No.21 of 2022, on the file of the Sub-Court, Ambasamudram.

For Petitioner : Mr.A.Sankaramasubramanian

For Respondent : Mr.V.Sasikumar

ORDER

This petition has been filed seeking to to set aside the fair and decretal order dated 27.11.2023 in I.A.No.1 of 2023 in H.M.O.P.No.21 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 21.08.2020. Subsequently, there was a matrimonial dispute between them. Therefore, the petitioner filed H.M.O.P.No.21 of 2022 before the Sub-Court, Ambasamudram for decree of divorce on the ground of cruelty. In the meantime, the respondent filed petition for restitution of conjugal rights in H.M.O.P.No.112 of 2021 before the same Court and the said petition was dismissed on 17.10.2022. The respondent also filed D.V.C.No.19 of 2022 before the Judicial Magistrate, Ambasamudram and claimed maintenance as Rs. 1,00,000/- and the same is pending adjudication. At the same time, the respondent filed I.A.No.1 of 2023 seeking interim maintenance. The said petition was allowed and the trial Court ordered to pay a sum of Rs.8,000/- as monthly maintenance and awarded litigation expenses of Rs.7,000/-. Challenging the said order, the petitioner has filed the present Civil Revision Petition.

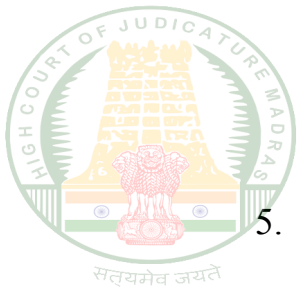
3. The learned counsel appearing for the petitioner would submit that the respondent/wife claims that the petitioner running a beedi company and earning Rs.9,00,000/- per annum, however, the petitioner marked the certificate before the trial Court stating that he has earning Rs.84,000/- per annum and monthly Rs.7,000/- in which directing him to pay a sum of Rs.8,000/- per month is a meagre amount. Further, in respect of the property, admittedly the property



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stands in the name of the petitioner, in which, the petitioner's beedi company is running, however, subsequently, the petitioner executed a settlement deed in favour of his father. Hence, the petitioner is not a owner of the property. However, even then the trial Court ordered for Rs.8,000/- as monthly maintenance is not proper and pray for appropriate orders. He would further submit that the petitioner and the respondent are living together for a period of one week and immediately after one week, there was a matrimonial dispute between them.

4. The learned counsel for the respondent would submit that the trial Court has ordered only interim maintenance of Rs.8,000/- and two properties are standing in the name of the petitioner. Subsequently, the petitioner has executed a settlement deed in favour of his father in order to deprive the rights of the respondent to get the compensation from the petitioner. Such a settlement deed executed by the petitioner in favour of his father is only sham and nominal to deprive the rights of the respondent for claiming maintenance from the petitioner. Accordingly, prays for dismissal of the Civil Revision Petition.



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5. The respondent/wife claims that the petitioner running a beedi company and earning Rs.9,00,000/- per annum and two properties were standing in the name of the petitioner, but it is seen from the records that the petitioner marked the certificate before the trial Court stating that he has earning Rs.84,000/- per annum and monthly Rs.7,000/-. Further, in respect of the property, admittedly the property stands in the name of the petitioner, in which, the petitioner's beedi company is running, however, subsequently, the petitioner executed a settlement deed in favour of his father. The trial Court after considering all the evidences and materials on record has rightly awarded a sum of Rs.8,000/- as monthly maintenance to the respondent/wife and there is no interference is required in this case.

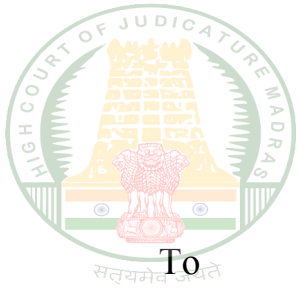
6. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.07.2025

Internet: Yes/No

Index: Yes/No

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To

WEB COPY

- 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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