



C.R..P.(PD)(MD).No.284 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.284 of 2025

and

C.M.P(MD) No.1653 of 2025

Pandiarajan

... Petitioner/Respondent/
Petitioner

Vs.

Preethi

... Respondent/Petitioner/
Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to pass an order setting aside the fair and executable order dated 04.10.2023 passed in I.A.No.1 of 2023 in H.M.O.P.No.29 of 2022 on the file of the Subordinate Court, Usilampatti and allow the same.

For Petitioner : Mr.J.Barathan

For Respondent : Ms.M.Nila

ORDER

The petitioner/husband in H.M.O.P.No.29 of 2022 on the file of the Sub Court, Usilampatti, has filed the present Civil Revision Petition challenging



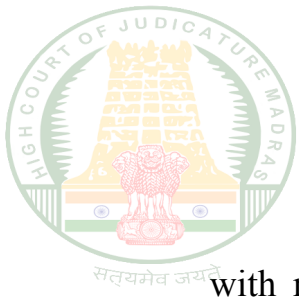
C.R..P.(PD)(MD).No.284 of 2025

WEB COPY

the order of interim maintenance of Rs.20,000/- (Rupees Twenty Thousand only) granted to wife.

2. A perusal of the records reveal that the revision petitioner herein has filed the above said petition seeking divorce on the ground of mental cruelty. The respondent/wife has filed a counter disputing the allegations of cruelty.

3. Pending divorce petition, the wife had filed I.A.No.01 of 2023 seeking a sum of Rs.30,000/- (Rupees Thirty Thousand only) as interim maintenance and in the affidavit, it was contended by the wife that the husband was working in TVS Company as a HR Executive and drawing a monthly salary of Rs.88,000/-. It was further contended that the husband is having agricultural properties to an extent of 17 acres in Usilampatti Taluk, from which, he was earning a sum of Rs.2,00,000/- per month. It was further pointed out that the husband was also earning a sum of Rs.50,000/- by way of lending money. The husband had filed a counter disputing the allegations. However, there is no specific denial with regard to the salary or the other income particularly, from the agricultural properties. The learned Subordinate Judge, Usilampatti, after considering the fact that there was no specific denial



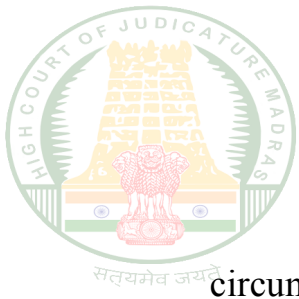
C.R..P.(PD)(MD).No.284 of 2025

WEB COPY

with regard to salary and other income, has proceeded to fix the monthly maintenance as Rs.20,000/- per month. Challenging the same, the present Civil Revision Petition has been filed by the husband.

4. The learned counsel appearing for the revision petitioner/husband relying upon the salary slip of the husband for the month of February 2025 contended that he is receiving only a sum of Rs.72,635/- (Rupees Seventy Two Thousand Six Hundred and Thirty Five Only) as salary. Considering the fact that the cost of living in Chennai and the fact that he has to take care of his parents, the maintenance amount fixed by the trial Court is exorbitant and it should be reduced. He further contended that the respondent/wife is M.A.B.Ed., graduate and she is qualified to get employed and therefore, she has to work for her livelihood and she cannot expect the entire maintenance amount from the husband. It was further contended that the husband was not receiving any agricultural income from the said properties.

5. Per contra, the learned counsel appearing for the respondent/wife had contended that the income as projected by the wife in I.A.No.1 of 2023 was not specifically disputed by the husband in his counter and in such



C.R..P.(PD)(MD).No.284 of 2025

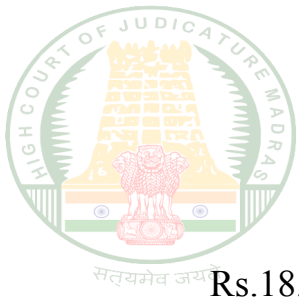
WEB COPY

circumstances, the trial Court has rightly fixed the monthly maintenance of the above said amount of Rs.20,000/- and therefore, the said order may not be disturbed.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. A perusal of the order of the trial Court reveals that the trial Court was of the considered opinion that the husband was drawing a salary of Rs.88,000/- from T.V.S Company. However, the salary slip produced for the month of February 2025 reveals that the husband is receiving only a salary of Rs.72,635/-, after statutory deductions. The agricultural income as pointed out by the wife in her application for interim maintenance has not been specifically disputed by the husband in his counter.

8. In view of the above said facts, this Court is of the considered opinion that the interim maintenance amount could be fixed at Rs.18,000/- during the pendency of the divorce petition. The interim maintenance granted in the order of the trial Court is hereby modified from Rs.20,000/- to



C.R..P.(PD)(MD).No.284 of 2025

WEB COPY

Rs.18,000/- and in other respects the order of the trial Court stands confirmed. The learned Subordinate Judge, Usilampatti, is directed to dispose of the divorce petition in H.M.O.P.No.29 of 2022 on or before **31.12.2025**.

9. With the above said observation, this Civil Revision Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

20.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Sub Court,
Usilampatti.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R..P.(PD)(MD).No.284 of 2025

R.VIJAYAKUMAR,J.

ebsi

C.R.P(PD)(MD)No.284 of 2025

20.03.2025



WEB COPY



C.R..P.(PD)(MD).No.284 of 2025