



CRP(MD). No.611 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.611 of 2025
and CMP(MD) No.3319 of 2025**

Chandrasekaran

... Petitioner

Vs

Vijayalakshmi

... Respondent

PRAYER :- Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 27.11.2024 passed in I.A.No.3 of 2024 in H.M.O.P.No.58 of 2024 on the file of the learned Family Court, Thoothukudi, by allowing this Civil Revision Petition.

For Petitioner : Mr.A.C.Ganesan

For Respondent : Mr.K.Sivabalan

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 27.11.2024 passed in I.A.No.3 of 2024 in



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H.M.O.P.No.58 of 2024 on the file of the learned Family Court,
Thoothukudi.

2. The petitioner is the husband and the respondent is the wife and their marriage was solemnized on 20.11.2022. Due to matrimonial discard, the respondent filed a petition for divorce in HMOP No.58 of 2024 before the learned Family Judge, Thoothukudi. Pending petition, the respondent herein filed an interlocutory application in I.A.No.3 of 2024 before the trial Court and the trial Court awarded a sum of Rs.7,000/- as interim maintenance. Aggrieved by the said order of maintenance, the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that the petitioner herein filed a petition in H.M.O.P.No.334 of 2024 before the Family Court, Thoothukudi, seeking restitution of conjugal rights under Section 9 of the Hindi Marriage Act, 1955. The petitioner is ready to live with the petitioner, however, the respondent refused to live with the petitioner without any iota of reason. The trial Court has fixed the monthly maintenance at Rs.7,000/- is on the higher side and prays for necessary direction.



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4. The learned counsel appearing for the respondent would submit that the respondent is now living with her parents. He would further submit that the petitioner is working as Group-II officer and he earns Rs.80,000/- per month. He would further submit that the interim maintenance granted by the trial Court is just meagre and he prays to enhance the interim maintenance amount.

5. Admittedly, the respondent filed a divorce petition in HMOP No.58 of 2024 before the learned Family Judge, Thoothukudi and the petitioner filed a petition for restitution of conjugal rights in H.M.O.P.No.334 of 2024 before the learned Family Judge, Thoothukudi. The trial Court has fixed the monthly maintenance of Rs.7,000/- to the respondent. The respondent is residing in Thoothukudi Municipality and hence, awarding a sum of Rs.7,000/- is not considered to be on higher side, in fact, the trial Court, considering the facts and circumstances of the case, has ordered for just and reasonable maintenance, which, in the considered opinion of this Court, requires no interference.



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6. Accordingly, the Civil Revision Petition is dismissed. No costs.

Consequently connected Miscellaneous Petition is closed.

10.07.2025

NCC : Yes/No

Index : Yes/No

TSG

TO

1.The Family Court, Thoothukudi

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

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**ORDER
IN
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Date : 10.07.2025