



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD](MD)No.696 of 2025

and

C.M.P.(MD)No.3690 of 2025

Petchiammal

...Petitioner

Vs.

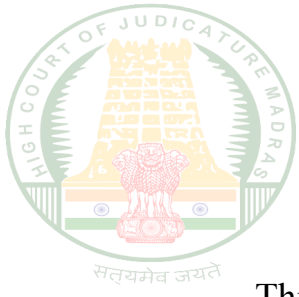
Narayanan

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order passed in I.A.No.1 of 2024 in H.M.O.P.No.138 of 2023, dated 22.10.2024 on the file of the Sub Court, Ambasamudram and to enhance the monthly maintenance from Rs.3,500/- to Rs.20,000/- (Rs.10,000/- each for the petitioner and her son) and the litigation expenses from Rs.5,000/- to Rs.10,000/- by allowing this Civil Revision Petition)

For Petitioner : Mr.A.Karthik

For Respondent : Mr.A.Sankararamasubramanian



ORDER

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This Civil Revision Petition has been filed seeking orders to set aside the fair and decreetal order passed in I.A.No.1 of 2024 in H.M.O.P.No.138 of 2023 dated 22.10.2024 on the file of the Sub Court, Ambasamudram, and to enhance the monthly maintenance amount from Rs.3,500/- to Rs.20,000/- (Rs.10,000/- each for the petitioner and her son) and the litigation expenses from Rs.5,000/- to Rs.10,000/-.

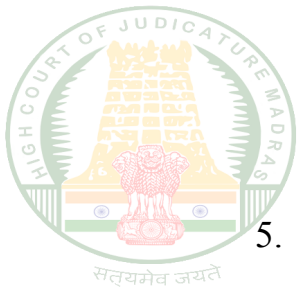
2. The respondent / husband herein filed a petition in H.M.O.P.No.138 of 2023 before the learned Sub Judge, Ambasamudram, against the petitioner / wife, seeking dissolution of marriage under the Hindu Marriage Act, 1955. Pending the said petition, the petitioner herein filed an interlocutory application in I.A.No.1 of 2024 under Section 24 of the Hindu Marriage Act, 1955, praying for interim maintenance of a sum of Rs.10,000/- per month each for herself and her minor son, and a sum of Rs.10,000/- towards litigation expenses. However, by an order dated 22.10.2024, the learned Sub Judge partly allowed the petition and awarded a sum of Rs.3,500/- per month towards interim maintenance (for both the petitioner and her son together) and Rs.5,000/- towards litigation expenses. Aggrieved by the quantum of interim maintenance awarded, the petitioner has filed the present revision petition seeking enhancement.



3. The learned counsel appearing for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized on 30.03.2020 as per Hindu rites and customs. Out of the wedlock, a male child was born on 06.01.2021. Due to matrimonial disputes, the petitioner and her child were allegedly driven out from the matrimonial home. Subsequently, on 29.11.2021, the respondent issued a legal notice seeking divorce. The petitioner, by reply dated 30.02.2022, expressed her willingness to continue the matrimonial relationship. Despite this, the respondent proceeded to file the divorce petition.

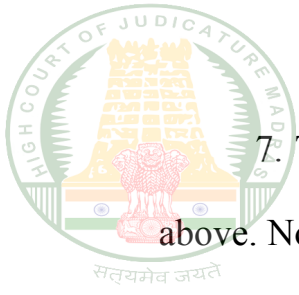
3.(i). It is further submitted that the respondent is working in a private concern, namely Meenakshi Fan House, Madurai, and earns a monthly income of Rs.35,000/- per month. He would further submit that the amount awarded by the Sub Court is very meagre and accordingly, the learned counsel prays for enhancing the interim maintenance amount awarded by the trial Court.

4. The learned counsel for the respondent submitted that the petitioner is working in a private bank and earns Rs.10,000/- per month. However, the respondent earns only Rs.15,000/- per month. He disputed the petitioner's claim regarding his income and stated that he is not in a financial position to pay Rs. 20,000/- as monthly maintenance.



5. On careful consideration of the submissions of both parties and the materials available on record, this Court is of the view that the maintenance amount of Rs.3,500/- awarded by the trial Court is wholly inadequate to meet even the basic needs of the petitioner and her minor child. The Court takes note of the fact that the petitioner is residing separately with the child and has to bear expenses towards food, shelter, clothing, medical needs, and education of the child. Even assuming the respondent's claim that his income is Rs.15,000/- per month, he is bound under law to maintain his wife and minor child. Therefore, considering the cost of living and the welfare of the minor child, this Court is inclined to modify the order of the learned Sub Judge and enhance the interim maintenance to a reasonable extent.

6. Accordingly, the fair and decreetal order passed in I.A.No.1 of 2024 in H.M.O.P.No.138 of 2023, dated 22.10.2024, on the file of the Sub Court, Ambasamudram, is hereby modified. The respondent is directed to pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) per month to the petitioner towards the maintenance of herself and her minor son, from the date of this order, i.e., from the 7th day of August 2025, and continue to pay on or before the 7th day of every succeeding English calendar month.



7. This Civil Revision Petition is allowed in part, to the extent indicated above. No costs. Consequently, the connected miscellaneous petition is closed.

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Internet: Yes/No

Index: Yes/No

TSG

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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