



C.R.P.(MD)No.982 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.982 of 2025

and

C.M.P(MD)No.5272 of 2025

P.Mathavan

... Petitioner

Vs.

1.Iswarya

2.Minor Sanjaymaran

3.Minor.Sanjana

(Respondents 2 & 3 are represented
through their mother first respondent)

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order passed in I.A.No.3 of 2023 in H.M.O.P.No. 43 of 2023, on the file of the Sub-Court, Sivakasi dated 19.03.2024 and allow the present Civil Revision Petition.

For Petitioner : Mr.M.Sridharan

For Respondents : No appearance



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ORDER

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This petition has been filed seeking to set aside the order passed in I.A.No.3 of 2023 in H.M.O.P.No.43 of 2023, on the file of the Sub-Court, Sivakasi dated 19.03.2024.

2. The case of the petitioner is that the marriage between the petitioner and the first respondent was solemnized on 01.12.2017 and two children were born out of the wedlock. Thereafter, due to the matrimonial dispute, the first respondent separated the petitioner and hence, the petitioner filed H.M.O.P.No. 43 of 2023 on the file of the Sub-Court, Sivakasi for restitution of conjugal rights. In the said HMOP, the respondents filed I.A.No.3 of 2023 seeking maintenance for herself and her children. The said petition in I.A.No.3 of 2023 was allowed and the trial Court directed the petitioner to pay a sum of Rs. 9,000/- as monthly maintenance to the respondent. Aggrieved against the said order, the petitioner has filed the present Civil Revision Petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner filed H.M.O.P.No.43 of 2023 on the file of the Sub-Court, Sivakasi for restitution of conjugal rights, in which, the respondents filed I.A.No.3 of 2023 claiming interim maintenance and the trial Court has allowed the



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application and directed the petitioner to pay a sum of Rs.9,000/- as monthly maintenance to the respondent. He further submitted that the petitioner is unemployed and he is unable to maintain himself and for ordering maintenance of Rs.9,000/- is excessive and is not sustainable one and prayed for allowing the Civil Revision Petition.

4. Heard the learned counsel appearing for the petitioner. Though notice was served on the respondents and their names are also printed in the cause list, they have not chosen to appear either in person or through counsel.

5. The facts of the present case is not in dispute and the relationship of the parties is not in dispute. It is seen from the records that the petitioner/husband filed H.M.O.P.No.43 of 2023, in which, the respondents filed I.A.No.3 of 2023 seeking maintenance as the petitioner is doing building contract work and earning Rs.1,00,000/-, also operating lorry business and earning Rs.1,00,000/- and further he is renting cycle stand and totally he is earning Rs.2,65,000/- per month, but the trial Court only ordered Rs.9,000/- as monthly maintenance to the respondents. The said amount is very meagre and there is no interference is required. In such circumstances, I am of the opinion that there is no error or irregularity or illegality in the impugned order passed by



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the learned Judge. The petitioner is directed to pay the arrears amount by calculating a sum of Rs.9,000/- from the date of I.A., petition to till date, less then the amount already paid.

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

14.07.2025

Internet:Yes/No

Index:Yes/No

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To

- 1.The Sub-Court,
Sivakasi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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