



CRP(MD). No.1901 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRP (MD). No.1901 of 2025

Jeyalatha

... Petitioner

Vs

Sermakani

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India to allow this Revision Petition, set aside the order passed in Crl.A.No.116/2023 dated 07.02.2025 on the file of Additional District and Sessions Judge (FTC) Tenkasi, in DVC No.5/2017 dated 21.06.2023 by the Judicial Magistrate Court, Tenkasi

For Petitioner : Mr.W.Cleetus

ORDER

The Civil Revision Petition has been filed against the judgment in Crl.A.No.116/2023 dated 07.02.2025 on the file of the Additional District and Sessions Judge (FTC) Tenkasi, in DVC No.5/2017 dated 21.06.2023 by the Judicial Magistrate Court, Tenkasi.



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2. The petitioner is the wife and the respondent is the husband.

Their marriage was solemnized on 27.05.2001 and they were blessed with a girl baby. While so, since the matrimonial life ran into rough weather, the petitioner initiated domestic violence proceedings in DVC No.5/2017. In the said proceedings, compensation of Rs.25 lakhs was awarded. Against the said compensation, the respondent preferred an appeal. In the said appeal, the compensation was reduced from Rs.25 lakhs to Rs.3 lakhs and the said amount is ordered in favour of the daughter, which is to be deposited in any nationalized bank. Challenging the said judgment, the petitioner/wife is before this Court with this petition.

3. The learned counsel for the petitioner would submit that the amount of compensation was awarded only to the daughter and no amount of compensation is awarded to the petitioner/wife. He would further submit that the respondent has filed a petition for divorce and subsequently, it was dismissed, against which, the respondent has filed an appeal and in the appeal, divorce was granted and the petitioner has



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also filed a maintenance case in MC No.1/2017 claiming maintenance, which was allowed by directing the respondent to pay a sum of Rs.15,000/- each to the petitioner and the daughter till 31.12.2021 and thereafter Rs.20,000/- from 01.01.2022 against which, a revision came to be filed, in which, the said order was set aside vide order dated 07.02.2025 by the trial Court. The petitioner has also filed a petition in OP No.225/2023 for restitution of conjugal rights and the same is pending. Now, the petitioner is aggrieved by the reduction of compensation from Rs.25 lakhs to Rs.3 lakhs in the appeal filed by the respondent.

4. I have perused the materials available on record.

5. The facts, that the marriage between the petitioner and the respondent and the compensation awarded, divorce granted and in appeal compensation was reduced, were not in dispute. The petitioner has also initiated proceedings against the respondent not only claiming maintenance but also under the provisions of domestic violence besides a petition for restitution of conjugal rights. However, the petition for



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restitution of conjugal rights is alone pending. In the domestic violence proceedings, the trial Court has granted a compensation of Rs.25 lakhs and in appeal, the same was reduced from Rs.25 lakhs to Rs.3 lakhs, that too, for the daughter. The petitioner is aggrieved by the said reduction. For compensation to be enhanced, the petitioner has to prove the financial status of the respondent/husband and to establish the financial/economic status of the respondent, the petitioner has not produced any documents. In the absence of any proof to substantiate that the respondent is earning more than Rs.90,000/- per month, the compensation modified by the lower appellate Court from Rs.25 lakhs to Rs.3 lakhs cannot be found fault with. Accordingly, the Civil Revision Petition is dismissed. However, the petitioner is at liberty to proceed in the manner known to law with regard to compensation in the pending revision. No costs.

24.07.2025

NCC : Yes/No
Index : Yes/No
RR



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TO

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- 1.The Additional District and Sessions Judge (FTC) Tenkasi
- 2.The Judicial Magistrate Court, Tenkasi
- 3.VR Section
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.1901 of 2025**

Date : 24/07/2025