

C.R.P.(MD)No. 1447 of 2025

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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.1447 of 2025

and

C.M.P.(MD)No.7368 of 2025

1.S.V.Buvanesh @ Hari Buvanesh

2.K.P.Velu

3.Selvi @ Velammal

4.Thilagavathi

...Petitioners

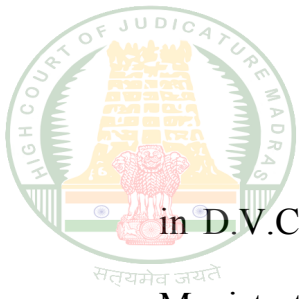
Vs.

1.B.Madumitha

2.Minor.Thushithamithra

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records and set aside the C.A.No.34 of 2023 dated 14.03.2024, on the file of the Principal District and sessions Judge, Pudukottai,



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in D.V.C.No.01 of 2020 dated 20.02.2023, on the file of the learned Judicial Magistrate-I, Pudukottai.

For Petitioners : Mr.H.Velavadhas

For Respondents : Mr.S.Vikram

ORDER

This petition has been filed seeking to set aside the C.A.No.34 of 2023 dated 14.03.2024, on the file of the Principal District and sessions Judge, Pudukottai, in D.V.C.No.01 of 2020 dated 20.02.2023, on the file of the learned Judicial Magistrate-I, Pudukottai.

2.Learned Counsel for the petitioners would submit that the first petitioner is the husband and the first respondent is the wife. The marriage was solemnized between them on 03.06.2018. The first respondent claims that at the time of marriage, the first respondent's parents have given 40 sovereigns of gold to the first respondent and 7 sovereigns of gold to the first petitioner and performed the marriage by spending Rs.25,00,000/- and a further sum of Rs.10,00,000/- was given as dowry. Thereafter, they were blessed with one female child. Subsequently, there was a matrimonial dispute between them.



Thereby, the first respondent filed a Domestic Violence Case as against the petitioner. After trial, the trial Court ordered Rs.2,000/- towards medical expenses to the first respondent, Rs.5,000/- towards rent and other expenses and a further sum of Rs.3,000/- towards educational expenses for the second respondent. Totally a sum of Rs.10,000/- was awarded by the trial Court as maintenance to be paid by the first petitioner to the respondents. Aggrieved by the same, the first respondent preferred appeal before the lower appellate court in C.A.No.34 of 2023. The lower appellate court dismissed the appeal filed by the first respondent, confirming the order of the trial Court. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioner would submit that even as per the respondent's version, the first petitioner is earning Rs.10,000/-, whereas the first petitioner claims that he is earning only Rs.6,000/- per month and further, in the maintenance case also the trial Court has ordered Rs.7000/- and in the divorce petition also the trial Court has ordered Rs.10,000/-, which is very excessive and therefore, prays for appropriate orders.

4.Per contra, leaned counsel for the respondents would submit that it is the duty of the first petitioner to maintain the wife and children and both the



respondents are residing in Trichy and ordering Rs.17,000/- a maintenance is very meagre, which needs to be interfered with. Even Rs.17,000/- is not sufficient to maintain the first respondent herself and her child in a cosmopolitan city like Trichy. Accordingly, he prays for appropriate orders.

5. Heard the learned Counsel on either side.

6. The fact in the present case are not in dispute and the relationship between the parties is also not in dispute. The first respondent claims that the petitioner is earning Rs.25,000/-. Even as per her statement, awarding Rs. 17,000 as monthly maintenance is highly excessive and further in the present case, the trial Court ordered for Rs.2,000/- towards house rent, Rs.5,000/- towards maintenance of the first respondent and Rs.3,000/- as maintenance to the second respondent. This Court is inclined to interfere with the order impugned and is inclined to reduce the said amount granted by the trial Court to Rs.5,000/- as maintenance to the first respondent and Rs.3,000/- as maintenance to the second respondent, totally Rs.8,000/- apart from the maintenance amount of Rs.7,000/- ordered in M.C.No.1 of 2023. Further, the petitioner is directed to deposit the entire arrears amount from the date of filing the petition to till date, less the amount if any already deposited.



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7. Accordingly, this Civil Revision Petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Principal District and sessions Judge,
Pudukottai.
- 2.The Judicial Magistrate – I,
Pudukkottai.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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