



C.R.P(MD).No.1109 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1181 of 2024

and

C.M.P(MD) No.6722 of 2024

Manikandan

...Petitioner

Vs.

Kandha Sharmila

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the fair and decreetal order dated 16.04.2024 passed in I.A.No.3 of 2022 in HMOP No.231 of 2022 by the Family Court, Thoothukudi.

For Petitioner : Mr.D.Srinivasaragavan

For Respondent : Mr.V.Rajiv Rufus

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order dated 16.04.2024 passed in I.A.No.3 of 2022 in HMOP No. 231 of 2022 by the Family Court, Thoothukudi.



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2. The petitioner is the husband and the respondent is the wife and their marriage was solemnized on 12.09.2018 and they were blessed with a male child on 01.07.2019. Due to matrimonial discord, the petitioner filed a petition for divorce in HMOP No.231 of 2022 on the file of Family Court, Thoothukudi, in which the respondent/wife filed a petition in I.A.No.3 of 2022 under Section 24 of the Hindu Marriage Act, seeking interim maintenance. The trial Court ordered the said petition directing the petitioner to pay a sum of Rs.15,000/- to the respondent as interim maintenance, *vide* order dated 16.04.2024. 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 is employed as Assistant in the Union Office, Pudukottai, Thoothukudi District and is earning a sum of Rs.33,000/- after deduction, from which he has to take care of his age old parents and himself. However, the trial Court ordered interim maintenance of Rs.15,000/-, which is highly excessive. Accordingly, he prayed for appropriate order.



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4.Per contra, the learned counsel appearing for the respondent submitted that the respondent and her child are being taken care of by the respondent's father and the order of the trial Court fixing the maintenance amount at Rs.15,000/- per month does not call for interference and prays for dismissing the petition.

5. I have considered the submissions made on either side and perused the materials available on record.

6.Admittedly, the petitioner has not been maintaining his wife and son. It is needless to state that it is the duty of the petitioner as a husband and father, to maintain his wife and children. The petitioner has neglected his duty. Considering the fact that the respondent and her child are being taken care of by the respondent's father and also taking into account the salary received by the petitioner, the trial Court ordered a sum of Rs.15,000/-, as maintenance, which cannot be considered excessive. Therefore, I do not find any reason to interfere with the order passed by the trial Court.



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7.In the result, this Civil Revision Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

07.07.2025

NCC:Yes/No

Index:Yes/No

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To:-

1. The Judge, Family Court, Thoothukudi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

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