



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[NPD](MD)No.1749 of 2025

and

C.M.P.(MD).No.9469 of 2025

Sekar

...Petitioner

Vs.

Uma

...Respondent

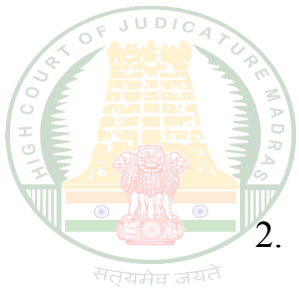
PRAYER: Civil Revision Petition is filed under Section 115 CPC to allow the Civil Revision Petition and set aside the judgment and decree dated 05.03.2025 made in E.P.No.4 of 2024 made in I.A.No.1356 of 2022 in H.M.O.P.No.345 of 2018 on the file of the Family Court, Madurai.

For Petitioner : Mr.PT.S.Narendravasan

For Respondent : Mr.C.Guhaseelarupan

ORDER

This Civil Revision Petition has been filed to set aside the judgment and decree dated 05.03.2025 made in E.P.No.4 of 2024 in I.A.No.1356 of 2022 in H.M.O.P. No.345 of 2018 on the file of the Family Court, Madurai.



2. The learned counsel appearing for the petitioner submits that the marriage between the petitioner and the respondent was solemnized on 12.09.1991, and out of the said wedlock, two children were born, who are now majors. Subsequently, matrimonial disputes arose between the parties, and the petitioner filed H.M.O.P.No.345 of 2018 before the Family Court, Madurai seeking a decree of divorce, which is still pending. Thereafter, the respondent filed I.A. No.1356 of 2022 before the Family Court, Madurai, seeking monthly maintenance of Rs.25,000/- from the petitioner. The trial Court, after hearing both sides, allowed the application and awarded a sum of Rs.5,000/- per month as maintenance to the respondent from the date of the petition. Aggrieved by the said order, the petitioner filed C.M.A. (MD) No.836 of 2023 before this Court. However, by order dated 05.01.2024, this Court confirmed the order of the Family Court. Subsequently, the respondent initiated execution proceedings in E.P.No.4 of 2024 for recovery of arrears. The trial Court, by order dated 05.03.2025, ordered the arrest of the petitioner without affording an opportunity for compliance or granting sufficient time, and also in the absence of any accompanying calculation memo. The petitioner contends that he is unemployed and unable to pay the arrears. However, as per the direction of this Court dated 26.06.2025, he deposited a sum of Rs.1,00,000/- before the trial Court on 04.07.2025.



3. Per contra, the learned counsel for the respondent submits that the petitioner earns Rs.5,000/- per month and that as on 05.03.2025, the total arrears stood at Rs.1,85,000/-. He prays that appropriate directions may be issued for recovery of the balance amount in installments and for continuation of the monthly maintenance.

4. Considering the submissions made and taking note of the deposit already made by the petitioner, this Civil Revision Petition is disposed of with the following directions:

(i). The petitioner has already deposited a sum of Rs.1,00,000/- before the trial Court. Hence, he shall pay the remaining sum of Rs.85,000/- in four monthly installments. A sum of Rs.25,000/- shall be paid by the petitioner to the respondent on or before 15.08.2025; Rs.20,000/- on or before 15.09.2025; Rs.20,000/- on or before 15.10.2025; and the balance amount of Rs.20,000/- on or before 15.11.2025.

(ii). The petitioner shall continue to pay the monthly maintenance amount of Rs.5,000/- to the respondent on or before the 7th day of every English calendar month.

5. If the above said order is complied with by the petitioner, the execution proceedings against him shall stand closed. Liberty is granted to the respondent



to initiate appropriate proceedings in accordance with law in case of default.

No costs. Consequently, the connected miscellaneous petition is closed.

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24.07.2025

Internet:Yes/No

Index:Yes/No

TSG

To

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



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C.R.P.(NPD).(MD)No.1749 of 2



M.DHANDAPANI, J.

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C.R.P.(PD).(MD)No.1749 of 2025

24.07.2025