



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD](MD)No.1724 of 2025

and

C.M.P.(MD)No.9365 of 2025

Baviya

..Petitioner

Vs.

Prem

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order dated 25.03.2025 made in I.A.No.1 of 2022 in H.M.O.P.No.113 of 2021 on the file of the Sub Court, Melur.

For Petitioner : Mr.A.Ganesan

ORDER

This petition has been filed seeking orders to set aside the order dated 25.03.2025 made in I.A.No.1 of 2022 in H.M.O.P.No.113 of 2021 on the file of the Sub Court, Melur.

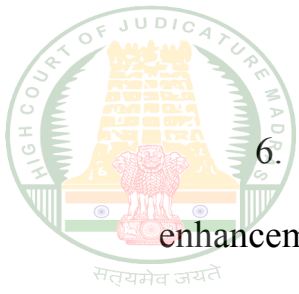


2. The petitioner is the wife of the respondent. The marriage between the petitioner and the respondent was solemnized in the year 2013, and they were blessed with two female children. Due to matrimonial disputes, the respondent filed a petition for divorce in H.M.O.P.No.113 of 2021 before the Sub Court, Melur. During the pendency of the H.M.O.P., the petitioner filed an application for interim maintenance under Section 24 of the Hindu Marriage Act in I.A.No. 1 of 2022, in which the trial Court awarded a sum of Rs.15,000/- in total.

3. The learned counsel for the petitioner would that the petitioner is unemployed and has been undergoing severe financial hardship. She would further submit that she has to take care of her two children. Therefore, the amount awarded by the trial Court is inadequate. Accordingly, he prays for allowing this petition.

4. Since no adverse orders are going to be passed against the respondent, notice to the respondent is dispensed with.

5. Considering the facts and circumstances of the case, it is seen that a matrimonial dispute exists between the parties, and the respondent has filed a divorce petition before the trial Court. Subsequently, the petitioner filed an interlocutory application seeking interim maintenance, in which the trial Court granted a sum of Rs.15,000/- in total. Aggrieved by the quantum, the present revision has been filed by the wife seeking enhancement.



6. The petitioner is at liberty to canvass her grievance regarding enhancement of maintenance at the time of final disposal of H.M.O.P.No.113 of 2021. She is also entitled to file a separate application under Section 144 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), if so advised, in the manner known to law. Liberty is granted to the petitioner to raise all the grounds raised in this petition before the trial Court. The trial Court is directed to dispose of H.M.O.P.No.113 of 2021, on its own merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

7. Accordingly, this Civil Revision Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

23.06.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1. The Sub Court, Melur.

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



WEB COPY

C.R.P.(PD).(MD)No.1724 of 2



M.DHANDAPANI, J.

TSG

C.R.P.(PD).(MD)No.1724 of 2025

23.06.2025