



C.R.P.(MD)No. 1697 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1697 of 2022

and

C.M.P.(MD)No.7456 of 2022

Sekar

...Petitioner

Vs.

Dhanalakshmi

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Fair and Decreetal order dated 16.12.2021 passed in I.A.No.2 of 2021 in H.M.O.P.No.130 of 2019, on the file of the Learned Sub Court, Lalgudi, Trichy District.

For Petitioner : Mr.S.Karthik

For Respondent : No Appearance



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ORDER

This petition has been filed seeking to set aside the Fair and Decreetal order dated 16.12.2021 passed in I.A.No.2 of 2021 in H.M.O.P.No.130 of 2019, on the file of the Learned Sub Court, Lalgudi, Trichy District.

2.Learned for the petitioner would submit that the petitioner / husband filed a divorce petition in H.M.O.P.No.130 of 2019, on the file of the learned Sub Court, Lalgudi, in which the respondent filed I.A.No.2 of 2021, claiming interim maintenance. The trial Court by order dated 16.12.2021 ordered for interim maintenance of Rs.5000/- to the respondent / wife. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioner would submit that the petitioner is a mechanic, whereas the respondent / wife is doing tailoring business and milk vending business. Apart from that, she is also doing agricultural activities in 4 acres of land. He further submits that the petitioner is earning a very meagre amount, in which ordering Rs.5,000/- as maintenance is highly excessive. Accordingly, he prays for appropriate orders.



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4.This Civil Revision Petition is being disposed of in the absence of the respondent, since no adverse order is passed.

5.The facts in the present case are not in dispute and the relationship between the parties is also not in dispute. Admittedly, the petitioner / husband filed a H.M.O.P.No.130 of 2019, on the file of the Sub Court, Lalgudi, for divorce, in which the respondent / wife filed I.A.No.2 of 2021, claiming maintenance. The trial Court ordered a sum of Rs.5,000/- to the respondent / wife. Though the respondent / wife is earning, it is the duty of the husband to maintain his wife. Considering the facts and circumstances of the case and also considering the cost of the living in the present scenario, this Court finds that the amount of Rs.5,000/- ordered by the trial Court as maintenance to be very reasonable and does not find any reasons to interfere with the same. Accordingly, the order passed by the trial Court is sustained. The petitioner is directed to pay the arrears of maintenance from the date of petition to till date.



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

03.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Sub Court,
Lalgudi,
Trichy District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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