



C.R.P.(PD)(MD).No.1848 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1848 of 2025

and

C.M.P.(MD)No.10214 of 2025

T.Balaratha

... Petitioner

Vs.

Jeyabalaji

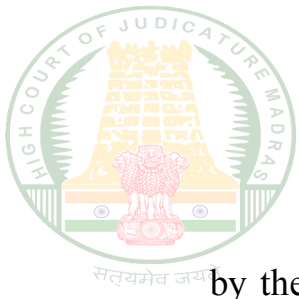
... Respondent

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to modify and enhance the interim maintenance granted in the imugned fair and decreetal order passed by the Sub Court, Sivakasi in I.A.No.1 of 2024 in H.M.O.P.No.211 of 2024 on 18.03.2025.

For Petitioner : Mr.N.Dilipkumar
For Respondent : Mr.A.Sivaji

ORDER

This Civil Revision Petition is filed seeking to modify and enhance the interim maintenance granted in the impugned fair and decreetal order passed



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by the Sub Court, Sivakasi in I.A.No.1 of 2024 in H.M.O.P.No.211 of 2024
on 18.03.2025.

2.The learned counsel for the petitioner submits that the marriage between the petitioner and the respondent was solemnized on 11.09.2011. Thereafter, they blessed with two male children, who are now aged about 11 and 13 years, respectively. Subsequently, there was a matrimonial dispute between the petitioner and the respondent. Thereby, the respondent filed a divorce petition in H.M.O.P.No.211 of 2024 before the Sub Court, Sivakasi. Pending divorce petition, the petitioner filed I.A.No.1 of 2024 under Section 24 of the Family Courts Act. The same was allowed in part by granting a sum of Rs.7,000/- per month as maintenance. Seeking to enhance the same, this Civil Revision Petition is filed.

3.The learned counsel for the petitioner submits that the trial Court has erroneously dismissed the application of the petitioner seeking maintenance to her and granted a meagre sum of Rs.7,000/- per month as maintenance towards her minor children. Hence, he seeks to enhance and modify the award passed by the trial Court.



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4.The learned counsel for the respondent submits that the respondent is ready to pay the amount to be fixed by this Court to his minor children apart from the educational expenditure of his minor children, however he refused to pay any maintenance to his wife on the ground that she is having adultery. He submits that the respondent is currently employed and earning a sum of Rs.15,000/- per month. He further seeks indulgence of this Court to give visitation rights to the respondent and to have the custody of the minor children during the School holidays.

5.Heard the learned counsel appearing for the petitioner and the respondent and perused the materials placed on record.

6.When this Court have an interaction with the minor children, it is clear that they are matured enough to understand the things around them. They expressed their desire to go along with their father during school holidays. The respondent also expressed no objection for having the custody of the child during school holidays.



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7.This Court has also interacted with the respondent. He disclosed that he is paying the educational expenses to his minor children and there is no arrears towards payment of maintenance. He also asserts that he will continue to take care of the educational expenses to his minor children and he will pay the amount to be fixed by this Court towards maintenance to his minor children. However, he submits that he may be granted with visitation rights during the school holidays of the minor children.

7.In view of the above, this Civil Revision Petition is allowed on the following terms:

The respondent is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) towards maintenance to his minor children apart from the educational expenses. The said amount shall be paid by the respondent on or before 7th day of every succeeding English calendar month commencing from 07.08.2025. Considering the fondness of the respondent towards his minor children, this Court grants visitation rights to the respondent and to have the custody of the minor children during the school holidays.



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No costs. Consequently, connected miscellaneous petition is closed.

14.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Sub Court, Sivakasi.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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