



C.R.P.(MD)No. 580 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.580 of 2022

and

C.M.P.(MD)No.2439 of 2022

Richard Christopher

...Petitioner

Vs.

Kavinnaya Bosco

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to allow the Civil Revision Petition and set aside the fair and decreetal order dated 15.09.2021 made in I.A.No.01 of 2021 in I.D.O.P.No.895 of 2021, on the file of the Family Court, Kanniyakumari, at Nagercoil.

For Petitioner : Mr.M.Ajmal Khan,
Senior Counsel
for M/s.Ajmal Associates

For Respondent : No Appearance



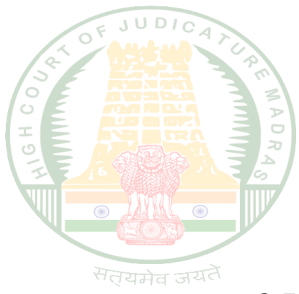
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ORDER

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This petition has been filed seeking to set aside the fair and decreetal order dated 15.09.2021 made in I.A.No.01 of 2021 in I.D.O.P.No.895 of 2021, on the file of the Family Court, Kanniyakumari, at Nagercoil.

2.Learned Counsel for the petitioner would submit that the marriage between the petitioner / husband and the respondent / wife was solemnized in the year 2017. They were blessed with a female child and due to some misunderstanding and matrimonial dispute, the respondent is living separately and thereby, the petitioner filed a petition for divorce in I.D.O.P.No.262 of 2018, in which the first respondent wife filed I.A.No.1 of 2021, claiming interim maintenance of a sum of Rs.1,00,000/- towards litigation expenses, Rs.25,000/- to the petitioner and Rs.50,000/- to the minor female child and totally Rs.75,000/-. After adjudication and trial, the petitioner was directed to pay a Rs.40,000/- per month as interim alimony to the respondent and their child in addition to Rs.20,000/- as ordered by this Court and a further sum of Rs.50,000/- towards litigation expenses. Challenging the same, the present Civil Revision Petition has been filed.



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3.Learned Counsel for the petitioner would submit that the respondent is working as a Tech Lead in Cognizant Technology Solution, Bangalore and earning Rs.16 Lakhs per year and hence, she is not entitled to claim maintenance from the petitioner. Further, the respondent in her assets and liabilities statements dated 09.08.2021, has stated that she is working as an Associate in the aforesaid company and earning Rs.53,354/- per month from 10.06.2021. Further, the Court below failed to note that already this Court in Crl.O.P.No.12496 of 2018 & Crl.O.P.No.14466 of 2018, directed the petitioner to pay a sum of Rs.20,000/- as monthly maintenance and that amount is enough for maintaining herself and the child. Therefore, he prays for appropriate orders.

4.This Court perused the entire records and the perusal of the records reveal that earlier notice has been ordered, however, till date, notice was not served on the respondent. Considering the same, this Court is disposing of this case with the available records.

5.Though the petitioner claims that his wife is employed, however, no proof has been filed with regard to the salary of the respondent. Further the petitioner has been directed to pay a sum of Rs.20,000/- as maintenance by this



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Court and that order also has also not been produced before this Court or before the trial Court. Further, the petitioner did not dispute his earnings in abroad in US dollars, for which the trial Court ordered only Rs.60,000/-, which is a very reasonable amount and imposing Rs.50,000/- towards litigation charges is also very reasonable. Hence, this Court does not find any reasons to interfere with the order passed by the trial Court.

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

28.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Family Court,
Kanniyakumari,
Nagercoil.
- 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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