



C.R.P.(MD)No. 2446 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2446 of 2023

and

C.M.P.(MD)No.12744 of 2023

1.V.Jeyaprakash

2.V.Angalishwari

3.B.Chandran

...Petitioners

Vs.

S.Sivaranjani

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records, pertaining to the order in D.V.C.No. 19/2022 dated 14.08.2023, passed by the Learned Judicial Magistrate, Bodinayakkanur, Theni District and set aside the same.

For Petitioners : Mr.A.Ramesh

For Respondent : Mr.A.Naresh Prabhu



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ORDER

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This petition has been filed seeking to set aside the order made in D.V.C.No.19/2022 dated 14.08.2023, passed by the Learned Judicial Magistrate, Bodinayakkanur, Theni District.

2.Learned Counsel for the petitioner would submit that the first petitioner is the husband and other petitioners are in-laws of the respondent / wife. The marriage of the first petitioner and the respondent was solemnized in the year 2013. The respondent claims that at the time of marriage, they have given Seedhana of 36 sovereigns of gold and Rs.5,00,000/- worth Seedhana articles. Thereafter, they were blessed with two children. However, subsequently matrimonial dispute arose, in which the respondent claim as if the first petitioner assaulted the respondent and thereafter, the respondent filed domestic violence case in D.V.C.No.19 of 2023. The trial Court allowed the DVC and ordered Rs.10,000/- for rent, ordered return of 36 ³/₄ sovereigns of gold jewels and articles worth Rs.5 Lakhs and also to return Rs.16,00,000 given by the respondent / wife's family at the time of marriage and also ordered a sum of Rs.45,000/- as maintenance [Rs.15,000/- each to the respondent and two children]. The trial Court ordered a further sum of RS.2,00,000/- as



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compensation for the violence committed by the first petitioner. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioners would submit that at the time of marriage, the petitioner was a Government employee and due to the continuous harassment by the respondent, the petitioner's services has been terminated and he is now unemployed and he is not able to maintain himself and his parents. However, without any discussion, the trial Court ordered for a lump sum amount without any material and since the petitioner is unemployed as of now, ordering Rs.15000/- each to the respondent and their two children is also highly excessive and accordingly, he prays for allowing this Civil Revision Petition.

4.Learned Counsel for the respondent would submit that already he has given change of vakalat and reported no instructions.

5.This Court has perused the materials available on record. Though the respondent wife claim residential rights, return of Seedhana articles, payment of compensation and maintenance, however, the trial Court, without any discussion ordered exorbitant amount in favour of the respondent. There must be some discussion for each and every compensation and the amount awarded



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in favour of the respondent. Absolutely, there are no materials available to substantiate the claim of the respondent. On the said sole ground, the order in D.V.C.No.19 of 2023 dated 14.08.2023, is set aside and remanded to the trial Court for fresh consideration. However, till such time, there must be some maintenance, since it is the duty of the husband to maintain his wife and children. Hence, this Court directs the first petitioner to pay a sum of Rs.5,000/- each [respondent and two children] as maintenance and Rs.10,000/- for rent, totally Rs.25,000/- as maintenance. The petitioner is directed to pay the monthly maintenance on or before 7th of every month.

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

07.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Judicial Magistrate,
Bodinayakkanur,
Theni 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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