



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD](MD)No.2170 of 2022

and

C.M.P.(MD)No.10084 of 2022

Muruganantham

...Petitioner

Vs.

Sukanya

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records pertaining to the order passed by the Family Court, Kanyakumari District at Nagercoil in I.A.No.3 of 2020 in H.M.O.P.No.80 of 2019 vide his order dated 10.09.2022.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : Mr.Ashok Padmaraj



ORDER

This Civil Revision Petition has been filed seeking to set aside the order dated 10.09.2022 passed by the Family Court, Kanyakumari District at Nagercoil in I.A.No.3 of 2020 in H.M.O.P.No.80 of 2019.

2. The learned counsel appearing for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized in the year 2018. However, the couple was not blessed with any children, which led to matrimonial discord. Consequently, the petitioner filed a petition in H.M.O.P.No.80 of 2019 before the Family Court, Nagercoil, seeking a decree of divorce. During the pendency of the said petition, the respondent filed an interlocutory application in I.A.No.3 of 2020 seeking interim maintenance. The trial Court, upon hearing both sides, granted interim maintenance of Rs.10,000/- per month to the respondent. Aggrieved by the said order, the petitioner has filed the present Civil Revision Petition.

3. The learned counsel for the petitioner submitted that during the pendency of the matrimonial proceedings, the respondent was appointed as a Junior Assistant in the year 2023 and is now gainfully employed. He further submitted that the petitioner is willing to pay interim maintenance up to November 2023, i.e., for a total period of 41 months at the rate of Rs.10,000/- per month. A sum of Rs.75,000/- has already been deposited before the trial



Court. The balance amount of Rs.3,35,000/- will be paid within four weeks from the date of receipt of a copy of this order.

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4. The learned counsel appearing for the respondent submitted that the respondent has no serious objections to the above arrangement.

5. In view of the subsequent developments and taking note of the respondent's employment, the following orders are passed:

(i). In view of the respondent's appointment as a Junior Assistant, she is not entitled to claim interim maintenance from November 2023 onwards. The petitioner shall draw a demand draft for a sum of Rs.3,35,000/- in the name of the respondent within a period of four weeks from the date of receipt of a copy of this order and file proof of the same before the trial Court. The respondent is permitted to withdraw the amount of Rs.75,000/- before the trial Court, if already not withdrawn.

(ii). Upon receipt of the demand draft, the trial Court is directed to dispose of H.M.O.P.No.80 of 2019 on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

(iii). In the event the petitioner fails to pay the above-said amount within the stipulated period, liberty is granted to the respondent to file an appropriate application before the trial Court for necessary relief.



6. In view of the above, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Internet: Yes/No

Index: Yes/No

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To

1. The Family Court, Kanyakumari District at Nagercoil.

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



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M.DHANDAPANI, J.

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