



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2815 of 2024

and

C.M.P.(MD).No.15979 of 2024

R.Gowtham Raj

...Petitioner

Vs.

S.Jothi Prabha

...Respondent

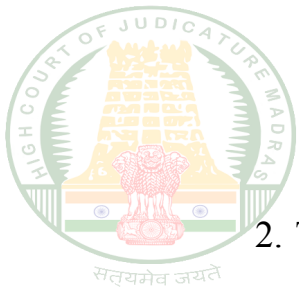
PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order passed by the learned Family Judge, Theni in I.A.No.4 of 2024 in H.M.O.P.No.566 of 2023 dated 21.09.2024.

For Petitioner : Mr.S.Madhavan

For Respondent : Mr.A.Abdul Kabur

ORDER

This Civil Revision Petition has been filed to set aside the order passed by the learned Family Judge, Theni in I.A.No.4 of 2024 in H.M.O.P.No.566 of 2023 dated 21.09.2024.



2. The revision petitioner is the husband and the respondent is the wife.

H.M.O.P.No.566 of 2023 was filed by the husband before the trial Court seeking a decree of divorce. Pending the said H.M.O.P., the respondent/wife filed I.A.No.4 of 2024 seeking interim maintenance of Rs.50,000/-. The said application was opposed by the revision petitioner. However, the trial Court, by order dated 21.09.2024, directed the petitioner to pay a sum of Rs.25,000/- as interim maintenance and Rs.10,000/- towards litigation expenses. Aggrieved by the said order, the petitioner has preferred the present Civil Revision Petition.

3. The learned counsel appearing for the revision petitioner submitted that the quantum of interim maintenance awarded by the trial Court is exorbitant. Though the petitioner is employed in Muscat and earns approximately Rs.70,000/- per month, the cost of living in Muscat is high. Further, he submitted that the respondent is employed as a teacher in a CBSE School and earns Rs.25,000/- per month, and that she is living with her parents. He also submitted that the petitioner is taking care of their daughter and has paid interim maintenance to the respondent till date.

4. The learned counsel appearing for the respondent submitted that no documentary proof was filed by the petitioner to substantiate his claim that the respondent is employed in a CBSE School. He contended that the amount of



Rs.25,000/- awarded by the trial Court is meagre and sought enhancement of the interim maintenance amount.

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5. The facts in the present case are not in dispute. The petitioner is residing in Muscat along with his daughter and is responsible for her care and maintenance. The respondent is residing with her parents at Bodinayakanur.

6. Considering the facts and circumstances of the case, this Court is of the view that the amount of Rs.25,000/- awarded by the trial Court as interim maintenance is on the higher side. Accordingly, the said amount is modified to Rs.12,000/- per month. The revision petitioner is directed to pay the said sum of Rs.12,000/-(Rupees Twelve Thousand only) to the respondent on or before the 7th day of every English calendar month, commencing from the month of August 2025, until the disposal of H.M.O.P.No.566 of 2023.

7. Liberty is granted to both parties to raise all their respective contentions before the trial Court at the time of final disposal of the H.M.O.P.

8. The learned Family Judge, Theni, is directed to dispose of H.M.O.P.No.566 of 2023, on merits and in accordance with law, within a period of one year from the date of receipt of a copy of this order.



9. Accordingly, the 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

TSG

To

1.The Family Court, Theni.

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



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M.DHANDAPANI, J.

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