



C.R.P(MD)No.2867 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.2867 of 2024
and
C.M.P(MD)No.16402 of 2025

Saravanan

... Petitioner/Respondent/
Petitioner

Vs.

Anitha

... Respondent/Petitioner/
Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order, dated 10.09.2024 in I.A.No.1 of 2024 in H.M.O.P.No.144 of 2022 on the file of the learned Additional Sub Court, Tenkasi.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondent : Mr.S.Balamurugan



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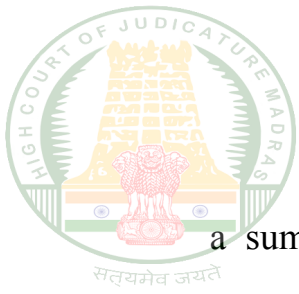
ORDER

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The petitioner in H.M.O.P.No.144 of 2022 on the file of the learned Additional Sub Court, Tenkasi is the revision petitioner herein.

2. The petitioner herein had filed the above petition for the relief of divorce. Pending H.M.O.P, the wife had filed I.A.No.1 of 2024 seeking interim maintenance of Rs.25,000/- for herself and another Rs. 25,000/- for her son and Rs.10,000/- as litigation expenses. This application was partly allowed fixing the interim maintenance as of Rs. 7,000/- for both the mother and the son. The trial Court has also directed the petitioner to pay a sum of Rs.10,000/- towards litigation expenses. This order is challenged by the husband.

3. According to the learned counsel appearing for the revision petitioner, the husband is unemployed and he is undertaking farming activities and therefore, the payment of Rs.7,000/- per month as interim maintenance is not financially viable for the petitioner. At the time of admitting the revision petition, this Court has directed the husband to pay



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a sum of Rs.5,000/- as maintenance till the disposal of the revision petition. According to the learned counsel appearing for the wife, maintenance amount for the month of January-2025 and February-2025 have not yet been paid.

4. I have carefully considered the submissions made on either side and perused the records filed in support of the revision petition.

5. The husband has contended that though he is a Post Graduate, he is residing with his parents and eking out his livelihood only by undertaking farming activities. No other contra records have been produced on the side of the wife to point out the husband is earning income from any other source. In such circumstances, this Court is of the considered opinion that the interim monthly maintenance could be fixed at Rs.5,000/- per month instead of Rs.7,000/-. However, the order of the trial Court with regard to litigation expenses is confirmed.

6. In view of the above said deliberations, this Court is inclined to pass the following order:

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(a) The interim monthly maintenance amount fixed by the trial Court is reduced from Rs.7,000/- to Rs.5,000/-.

(b) The litigation expenses of Rs.10,000/- fixed by the trial Court is hereby confirmed.

(c) The Additional Sub Court, Tenkasi is directed to dispose of H.M.O.P.No.144 of 2022 on or before **31.08.2025**.

7. With the above said observations, this Civil Revision Petition stands partly allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

18.02.2025

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

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

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R.VIJAYAKUMAR ,J.

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Order made in
C.R.P(MD)No.2867 of 2024

18.02.2025