



CRP(MD). No.3718 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/12/2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3718 of 2025
and
CMP(MD)No.19593 of 2025

Subash Chandrabose

... Petitioner

Vs

Chitra

... Respondent

PRAYER :-

Civil Revision Petition filed under Article 227 of Constitution of India, to strike off the proceedings in I.A.No.02/2025 in H.M.O.P.No. 17/2022 on the file of the learned Sub Court, Valliyur dated 12-09-2025.

For Petitioner : Mr. S.Bharathi,
Advocate.

ORDER

The present application is filed to strike of the proceedings in I.A.No.02/2025 in H.M.O.P.No.17/2022 on the file of the learned Sub Court, Valliyur.



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2. According to the petitioner who is the husband submits that the petitioner herein has initiated the proceedings in HMOP No.17 of 2022 before the learned Subordinate Judge, Valliyur, for dissolution of marriage against the respondent herein who is the wife of the petitioner herein. The respondent herein has filed I.A.No.1 of 2023 seeking maintenance and the Court below has directed the petitioner herein to pay a sum of Rs.7000/- to the respondent / wife as a monthly maintenance. Since the conditional order was not complied by the petitioner, the respondent has filed I.A.No.2 of 2025, seeking to strike off the HMOP filed by the petitioner. Seeking to strike off the proceedings in I.A.No.2 of 2025, this Civil Revision Petition has been filed.

3. Learned counsel for the petitioner submitted that the respondent has not appeared before the Court, even though an interim maintenance of Rs.7000/- per month was also granted in favour of the respondent / wife. However, the respondent is not appearing before the court below and has filed the present application in I.A.No.2 of 2025, to strike off the HMOP.



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4. The non-appearance of the parties will only lead to reject the HMOP for non-prosecution. The petitioner has filed this Civil Revision Petition, without even complying the order passed by the Court below, granting interim maintenance to the respondent herein. The ground that the respondent has not appeared before the Court below, cannot be a ground for non compliance of the interim order.

5. With the above observation, this Civil Revision Petition is dismissed, as devoid of merits. No costs. Consequently, connected miscellaneous petition stands closed.

09.12.2025

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

1. The Subordinate Judge, Valliyur.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

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N.SENTHILKUMAR, J

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