



WEB COPY

CRP No. 370 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 370 of 2026

AND

CMP NO. 2110 OF 2026

1. Raja
S/o. Anjappan,
Res. at West Street, North Paramam,
Sendurai Taluk,
Ariyalur District.
2. Anjappan
S/o. Velayutham,
Res. at West Street, North Paramam,
Sendurai Taluk,
Ariyalur District.
3. Arul
S/o. Anjappan,
Res. at West Street, North Paramam,
Sendurai Taluk,
Ariyalur District.
4. Amutha
W/o. Anjappan,
Res. at West Street, North Paramam,
Sendurai Taluk,
Ariyalur District.

..Petitioner(s)

Vs

1. Santhi
W/o. Raja,
Res. at West Street, North Paramam,
Sendurai Taluk,
Ariyalur District.



2. Minor Karthiga

Rep. by her mother/natural guardian Santhi the

1st respondent,

Res. at West Street, North Paramam,

Sendurai Taluk,

Ariyalur District.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Sec.115 of C.P.C., praying to set aside the Fair and Final order dated 13.11.2025 passed by the Learned Principal Sub Judge of Ariyalur in E.P.No.79 of 2024 in O.S.No.145 of 2017 by allowing this CRP.

For Petitioner(s):

Mr.R.Gokulakrishnan

For Respondent(s):

Mr.Usha Ramman for R1 & R2

ORDER

Challenging the impugned order passed in E.P.No.79 of 2024 in O.S.No.145 of 2017 by the learned Principal Sub-Judge, Ariyalur, the Revision Petitioners/Judgment Debtors have preferred this Civil Revision Petition.

2.Before the Executing Court, in order to recover arrears of maintenance, the respondent wife filed a petition in E.P.No.79 of 2024. On hearing both sides, the Executing Court has allowed the petition and directed to take steps for testing the value of the properties, since the Revision Petitioners/Judgment



Debtors have failed to pay maintenance as awarded by the court. Aggrieved over that, this Civil Revision Petition has been preferred.

WEB COPY

3. The learned counsel for Revision Petitioners/judgment debtors would submit that as per the award passed in D.V.C. proceedings, he complied the order by paying a sum around Rs.3,70,000/- and also paid maintenance regularly, but the learned counsel appearing for respondent submitted that he failed to pay maintenance from January 2026 onwards and also there is arrears of maintenance of Rs.4,52,000/-. Therefore, she filed execution petition to create a charge over the property for the sale in order to realise the decree amount.

4. Heard and considered rival submissions made on either side and perused the materials available on record.

5. On perusal of records, the fact reveals that though the maintenance amount was paid as per the award passed in D.V.C. proceedings, the arrears of maintenance arising out in the suit has not been complied with, however, both the proceedings are totally different. Furthermore, he is having sufficient property, but he is not inclined to pay the amount. Therefore, this Court finds no irregularity in the order passed by the Executing Court in E.P.No.79 of 2024 and it does not require any interference. Accordingly, this Civil Revision



Petition is dismissed. Liberty is granted to the 1st respondent to attach the property, since she is not having proper income. The Executing Court is directed to proceed with the matter in the manner known to law. No costs.

Consequently, connected civil miscellaneous petition is closed.

12-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The Principal Sub-Judge, Ariyalur.



WEB COPY

CRP No. 370 of 2



T.V.THAMILSELVI J.

RPP

**CRP No. 370 of 2026
AND
CMP NO. 2110 OF 2026**

12-06-2026