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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

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THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP.No.1524 of 2025

and CMP.No.8882 of 2025

CNR: {HCMA010638102025}

Vinothkumar

..Petitioner(s)

Vs

Uma

..Respondent(s)

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the order dated 17.12.2024 in Criminal Appeal No.27 of 2023 passed by Principal District and Sessions Judge, Tiruvannamalai, confirming the order dated 12.01.2023 in DV.No.35 of 2022 passed by the Additional Mahila Judge (Magisterial Level) at Tiruvannamalai.

For Petitioner(s) : Mr.K. Kannan

For Respondent(s) : M/s.Sreedhar

ORDER

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The Civil Revision Petition is filed challenging the order passed by the Additional Mahila Court, Tiruvannamalai, directing the petitioner/husband to pay a sum of Rs.30,000/- per month as maintenance under Section 20 of the Protection of Women from Domestic Violence Act, 2005, as confirmed by the learned Sessions Judge in Criminal Appeal.

2. The respondent herein filed a domestic violence complaint against the petitioner alleging harassment and domestic violence. It was her case that the petitioner neglected and failed to maintain her. It was also stated that the petitioner employed as an Engineer in Tamil Nadu Electricity Board and receiving handful of salary.

3. The petitioner filed counter and denied the various allegations found in the domestic violence complaint preferred by the respondent. According to him, the respondent filed the complaint with false allegation in order to grab money from the petitioner.

4. The learned Mahila Judge partly allowed the application by granting a protection order under Section 18 of Protection of Women from Domestic Violence Act, 2005 and the maintenance order by directing the petitioner to pay a sum of Rs.30,000/- per month. The petition filed by the respondent was dismissed in respect of the prayer for residential order and compensation.

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Aggrieved by the said order, the petitioner filed an appeal before the learned Principal Sessions Judge, Tiruvannamalai and the said appeal was dismissed by confirming the order passed by the learned trial judge. Aggrieved by the same, the petitioner has come before this Court.

5. The learned counsel appearing for the petitioner by drawing the attention of this Court to the pay slip of the petitioner would submit that the petitioner is getting only a sum of Rs.65,726/- as take-home salary and in such circumstances, the quantum of compensation awarded by the Courts below are on higher side.

6. Heard the learned counsel appearing for the petitioner and learned counsel appearing for the respondent.

7. Though it was urged by the learned counsel for the petitioner that the respondent was working as an Assistant in a medical shop and earning a sum of Rs.20,000/- per month, no satisfactory evidence has been produced by the petitioner to substantiate the said allegation. Therefore, the contention of the petitioner as if the respondent is capable of maintaining herself out of her own income is not acceptable.

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8. It is not in dispute that the petitioner is employed as an Assistant Engineer in Tamil Nadu Electricity Board. As per the payslip produced by the petitioner for the month of February, 2025, his total salary was mentioned as Rs.82,907/-. After deduction of income tax, contribution towards family health insurance, etc. the net salary of the petitioner (take-home salary) comes around Rs.65,726/-.

9. The deduction from the petitioner's salary towards income tax and contribution to the pension, health insurance scheme, etc., are acceptable as reasonable deductions and the same cannot be treated as the one made to defeat the right of the respondent/wife. Therefore, it is clear that the net salary of the petitioner is only Rs.65,726/-. Out of the same, the Court below directed him to pay a sum of Rs.30,000/-. This court feels that, in the light of the net salary of the petitioner, the quantum of maintenance awarded by the Court below is slightly on the higher side.

10. Taking into consideration the facts and circumstances of the case and the economic status of the petitioner and that of the respondent, this Court feels it would be appropriate to direct the petitioner to pay a sum of Rs.22,000/- per month as maintenance to the respondent from the date of filing of domestic incident report, i.e., 12.07.2022. The monthly maintenance amount shall be paid on or before 5th of every succeeding month. The arrears shall be paid within a period of twelve weeks from the date of receipt of copy of this order. The

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impugned order passed by the Courts below are modified to the above extent. Accordingly, the civil revision petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Additional Mahila Judge (Magisterial Level),
Tiruvannamalai.

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S.SOUNTHAR, J.
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