



C.R.P.No.1874 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.1874 of 2025
and
C.M.P.No.10796 of 2025

Raghini

... Petitioner

vs.

Shankaranarayanan.K.S.

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the Fair and Decretal order made in I.A.No.2 of 2024 in O.P.No.5021 of 2023 dated 19.03.2025 on the file of the Court of Principal Family Court, Chennai and allow the said I.A. by allowing this Civil Revision Petition.

For Petitioner : M/s.P.Srividhya

For Respondent : Mr.R.Mughudhan



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ORDER

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The Civil Revision Petition is filed challenging the quantum of interim maintenance fixed by the Principal Family Court, Chennai in I.A.No.2 of 2024 in O.P.No.5021 of 2023 dated 19.03.2025.

2. The respondent/husband filed original petition seeking divorce against the petitioner/wife on the ground of cruelty in O.P.No.5201 of 2023. Pending original petition for divorce, the petitioner/wife filed an application under Section 24 of the Hindu Marriage Act, 1955, seeking interim maintenance at the rate of Rs.25,000/- per month and also litigation expenses at the rate of Rs.25,000/- as one time payment. The said application was partly allowed by the Family Court by directing the respondent/husband to pay interim maintenance at the rate of Rs.5,000/- per month. The respondent/husband was also directed to pay litigation expenses of Rs.10,000/- as one time payment. Aggrieved by the quantum of interim maintenance fixed by the Family Court, the petitioner/wife has come before this Court.



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3. The learned counsel appearing for the petitioner would submit that the respondent is highly qualified and he is employed in a private company and earning more than Rs.1,00,000/- per month and therefore, the quantum of interim maintenance fixed by the Family Court is very much on lower side. It is also submitted that the respondent was directed to pay interim maintenance only from the date of the order and the said direction requires interference.

4. The learned counsel appearing for the respondent would submit that though the respondent was employed in a private concern earlier and earning a sum of Rs.50,000/- per month, he was removed from employment in the month of May-2024 and thereafter, he is without employment. Hence, the quantum of interim maintenance fixed by the Family Court is very reasonable and the impugned order requires no interference.

5. It is seen from the affidavit of assets and liabilities filed by the respondent, his qualification is B.E., MBA. Earlier, he was working in Coimbatore Innovation and Business Incubator and earning Rs.50,000/- per month. He also produced some document before the Family Court to prove his claim that he was discharged from employment on 31.05.2024. Though



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the petitioner is a B.Sc., and M.A (Hindi) Graduate, there is no evidence available on record to suggest that she is gainfully employed. In such circumstances, the respondent/husband is bound to maintain the petitioner/wife.

6. Though the respondent established that he was relieved from employment on 31.05.2024, taking into consideration his educational qualification and the previous experience, this Court feels he must have reasonable income. The said conclusion reached by this Court is fortified by the fact that as per the affidavit of assets and liabilities filed by the respondent, he is having outstanding loan amount of more than Rs.6,00,000/- and he has been paying EMI at the rate of Rs.45,000/- per month. Taking into consideration all these admitted facts, this Court feels the quantum of interim maintenance of Rs.5,000/- per month fixed by the Family Court is very much lower side and the quantum of interim maintenance is enhanced to Rs.7,000/- per month. Further, the respondent is bound to pay the interim maintenance fixed by this Court from the date of filing of I.A.No.2 of 2024. However, the Family Court directed the respondent to pay interim maintenance only from the date of order and the said direction requires interference.



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7. In view of the same, the Civil Revision Petition is partly allowed and the respondent/husband is directed to pay interim maintenance to the petitioner/wife at the rate of Rs.7,000/- per month from the date of filing of I.A.No.2 of 2024 to till the date of disposal of the original petition. No costs. Consequently, the connected civil miscellaneous petition is closed.

20.01.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Principal Family Court,
Chennai.



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S.SOUNTHAR, J.

dm

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