



C.R.P.Nos.2305 and 2311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.Nos.2305 and 2311 of 2024

and

C.M.P.No.12146 of 2024

G.Karthikeyan

... Petitioner (in both CRPs)

vs.

P.Sindhu

... Respondent (in both CRPs)

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 17.04.2024 passed in I.A.Nos.1 and 2 of 2023 in O.P.No.433 of 2023 on the file of the IV Additional Family Court, Chennai.

For Petitioner : M/s.A.Vinupradha
(in both CRPs)

For Respondent : Mr.M.Jaikumar
(in both CRPs)



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COMMON ORDER

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The Civil Revision Petition in C.R.P.No.2305 of 2024 has been filed questioning the quantum of interim maintenance ordered by the IV Additional Family Court, Chennai in I.A.No.1 of 2023 in O.P.No.433 of 2023, dated 17.04.2024 directing the petitioner/husband to pay a sum of Rs.40,000/- per month to minor child and Rs.20,000/- per month to respondent/wife.

2. The Civil Revision Petition in C.R.P.No.2311 of 2024 has been filed by the petitioner/husband challenging the order passed by the IV Additional Family Court, Chennai in I.A.No.2 of 2023 in O.P.No.433 of 2023, dated 17.04.2024 directing him to pay a sum of Rs.10,000/- towards litigation expenses as one time payment.

3. The petitioner/husband filed a petition for divorce against the respondent/wife on the grounds of desertion and mental cruelty in O.P.No.433 of 2023 on the file of the IV Additional Family Court, Chennai. Pending original petition, the respondent/wife had taken out an interlocutory application in I.A.No.1 of 2023 under Section 24 of the Hindu Marriage Act, 1955, seeking interim maintenance at the rate of Rs.1,50,000/- per



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month to her and her minor daughter born out of wedlock. She also filed an interlocutory application in I.A.No.2 of 2023 seeking litigation expenses of Rs.2,00,000/- as one time payment. The IV Additional Family Court, Chennai partly allowed the applications filed by the respondent/wife and directed the petitioner/husband to pay a sum of Rs.20,000/- per month towards maintenance of the respondent/wife and Rs.40,000/- per month towards maintenance of the minor child from the date of petition to till the date of final disposal of the original petition. Likewise, the petitioner/husband was directed to pay a sum of Rs.10,000/- towards litigation expenses as one time payment. Aggrieved by the said order passed by the Family Court, these two civil revision petitions are filed.

4. The learned counsel appearing for the petitioner would submit that the quantum of interim maintenance fixed by the Family Court has no rational basis and therefore, the same is liable to be interfered with. According to the learned counsel appearing for the petitioner, the respondent is well qualified having a Degree of BCS and she is capable of earning handful of salary.

5. The learned counsel appearing for the respondent would submit that as per Ex.R3-Salary Certificate of the petitioner/husband, his monthly



salary was Rs.3,04,564/- and hence, the Family Court was justified in fixing quantum of interim maintenance payable to the child at Rs.40,000/- per month and interim maintenance payable to respondent/wife at Rs.20,000/- per month. He also submitted that the litigation expenses of Rs.10,000/- ordered by the Family Court is very moderate one and it requires no interference.

6. A close scrutiny of the typed-set of papers would indicate as per Ex.R3-Salary Certificate of the petitioner/husband, he received a salary of Rs.3,04,564/- for the month of June-2023. However, after deduction, he received net salary of Rs.2,20,108/-. Though it was claimed by the respondent that petitioner was doing stock trading business and earning Rs.2,00,000/- per month under the said head, there is no convincing evidence available on record to support the said plea. Therefore, the net income of the petitioner/husband could be fixed at Rs.2,20,108/-.

7. It is seen from the affidavit of assets and liabilities filed by the respondent/wife, she acquired Degree of BCS. In the income column, the respondent/wife did not mention any amount and the same has been left blank. However, in Serial No.12 of Part-I of affidavit of assets and



liabilities, it was stated by the respondent/wife that she was assessed to Income Tax and presently, she had no taxable income.

8. It was not her case that she had no income, consciously in the affidavit of assets and liabilities, she said that she had no taxable income. In the Part-III of affidavit of assets and liabilities relating to children, it was stated that she incurred an expenditure of Rs.80,000/- towards school fee, Rs.10,000/- towards book/stationery, Rs.25,000/- towards outings/summer camps/vacations and Rs.10,000/- towards Entertainment. Apart from the said expenses towards various activities of the child, the respondent will be incurring reasonable expenditure towards regular maintenance of the child, befitting her financial status and financial status of the petitioner.

9. Taking into consideration all these aspects, this Court feels a sum of Rs.35,000/- per month would be the appropriate maintenance towards the child. As per the affidavit of assets and liabilities, the respondent has not mentioned the income in the appropriate column and left it as a blank. However, she stated that she had no taxable income which implies there is a possibility of her earning some amount, which is not taxable. Taking into consideration the said fact, the maintenance amount of Rs.20,000/- per month fixed by the Family Court is reduced to Rs.15,000/- per month.



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10. In all, the Civil Revision Petition in C.R.P.No.2305 of 2024 is partly allowed by directing the petitioner to pay a sum of Rs.35,000/- per month towards interim maintenance of child and Rs.15,000/- towards interim maintenance of respondent/wife. The order passed by the IV Additional Family Court, Chennai is modified accordingly.

11. As far as C.R.P.No.2311 of 2024 is concerned, taking into consideration the income of the petitioner and the nature of the litigation, this Court feels the amount of Rs.10,000/- ordered by the Family Court is a conservative one and the petitioner has not made out any case for interference with the same. Therefore, the Civil Revision Petition in C.R.P.No.2311 of 2024 stands dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

02.01.2026

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

The IV Additional Family Court,
Chennai.



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S.SOUNTHAR, J.

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