WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

CRP No. 2754 of 2025
& CMP Nos. 15580, 15591 & 20628 of 2025

CNR:{HCMA011320482025}

C.Hariharan

...Petitioner

Vs

1. M.Sowmya

2. Minor Adhira Hariharan
   D/o. C.Hariharan
   Rep.by mother & natural
   guardian M.Sowmya

...Respondents

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside and quash the order passed on 01.03.2023 in I.A.No.2 of 2022 in H.M.O.P.No.3893 of 2021 on the file of the Third Additional Principal Family Court, Chennai.

Petitioner : Appearing in person

https://www.mhc.tn.gov.in/judis

WEB COPY

For Respondents : Ms.V.Anuradha for
Mr.T.Surendran for R1 & R2

ORDER

This Civil Revision Petition has been filed under Article 227 of The Constitution of India against the fair and decretal order passed in I.A.No.2 of 2022 in H.M.O.P.No.3893 of 2021 on the file of the Third Additional Principal Family Court, Chennai, dated 01.3.2023 wherein, based on the application filed by the respondents under Section 24 of the Hindu Marriage Act, the Family Court fixed a monthly maintenance of Rs.20,000/- payable to the 1st respondent and Rs.7,000/- payable to the 2nd respondent, who is a minor child.

2. Heard the petitioner appearing in person and the learned counsel appearing for respondents and perused the materials available on record.

3. This Court carefully went through the impugned order passed by the Court below.

https://www.mhc.tn.gov.in/judis

WEB COPY

4. The 1st respondent, who is the wife, filed O.P.No.3893 of 2021 seeking for dissolution of marriage. Pending the same, I.A.No.2 of 2022 was filed under Section 24 of Hindu Marriage Act seeking interim maintenance both for the 1st respondent/wife and the 2nd respondent/minor child.

5. The petitioner, who is the husband, contested the said application.

6. The Family Court, vide the impugned order dated 01.3.2023 directed the petitioner/husband to pay a sum of Rs.20,000/- as interim monthly maintenance to the 1st respondent and Rs.7,000/- as interim monthly maintenance to the 2nd respondent. Aggrieved by the same, the present revision has been filed before this Court.

7. The petitioner appeared in person and submitted that he has no objection in paying the maintenance of Rs.7,000/- to the 2nd respondent/ minor child, who is maintained by the 1st respondent/mother. However,

https://www.mhc.tn.gov.in/judis

WEB COPY

he raised objections only insofar as the maintenance amount payable to the 1st respondent/wife. He further submitted that he is earning only a sum of Rs.35,000/- per month, that he is incurring expenses much more than that and that the Family Court, without properly appreciating the same, fixed an exorbitant amount as monthly maintenance payable to the 1st respondent/wife.

8. The learned counsel appearing on behalf of the respondents submitted that an affidavit of assets and liabilities was filed both by the petitioner as well as the 1st respondent, in which, it is seen that the petitioner owns immovable properties and earns sufficiently whereas the Family Court fixed a very meager amount as monthly maintenance and the same is not liable to be interfered by this Court.

9. On carefully going through the materials placed before this Court, it is seen that the respondents actually placed sufficient materials before the Family Court to establish the financial wherewithal of the petitioner. It is also brought to the notice of this Court that the petitioner

https://www.mhc.tn.gov.in/judis

WEB COPY

married another woman and had sent a message to the effect that he was married and nothing could be done about it and, that he would not pay even a single penny to the 1st respondent/wife and that he had also sent a message to the effect that he would take care of his daughter.

10. In the considered view of this Court, while dealing with the revision filed under Article 227 of the Constitution of India, this Court will not exercise its jurisdiction unless the impugned order passed by the Court below is perverse or the Court below has exceeded in its jurisdiction or the Court below has refused to exercise its jurisdiction that is available. While passing an order of interim maintenance, the Court below only took into account the *prima facie* materials and fixed a reasonable amount on approximation.

11. The petitioner has left the wife, who has to take care of the minor child and the records placed before this Court show that he has married another woman. It is also brought to the notice of this Court that the appeal filed against the order passed in the main original petition has

https://www.mhc.tn.gov.in/judis

WEB COPY

already been heard by a Division Bench and orders have been reserved.

12. In the considered view of this Court, the Court below ought to have taken into consideration all the materials that were placed on the side of the wife. However, the impugned order lacks reasons and as a result, a lesser amount has been fixed as monthly maintenance payable by the petitioner. In the revision filed by the petitioner, this Court cannot enhance the maintenance amount fixed. In view of the same, this Court finds that the maintenance amount fixed by the Family Court is reasonable and is more in the nature of interim measure and the same does not warrant the interference of this Court.

13. In result, this Civil Revision Petition is dismissed. Consequently, the connected CMPs are also dismissed.

29-10-2026

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

https://www.mhc.tn.gov.in/judis

WEB COPY

To
The Third Additional Principal Family Court, Chennai

ksk /arl

https://www.mhc.tn.gov.in/judis

WEB COPY

N.ANAND VENKATESH,J

KSK

CRP.No.2754 of 2025 &
CMP.Nos.15580, 15591 &
20628 of 2025

29-10-2026

https://www.mhc.tn.gov.in/judis