



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3000 of 2025

and

CMP.No.16844 of 2025

1. Varalakshmi

W/o. K.R. Baskar, No.22/1, Hyder
Garden, 1st Street, Jamalia, Chennai
600 012.

Petitioner(s)

Vs

1. K.R. Baskar

S/o. K. Ramachandran, No.22/1, Hyder
Garden, 1st Street, Jamalia, Chennai
012.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Indian Constitution, prays to set aside the order passed in memo in HMOP No.2145 of 2016 on the file of the IVth Additional Family Court at Chennai dated 07.07.2025.

For Petitioner(s): Mr.KAMALESH KANNAN

For Respondent(s): Mr.D.Magesh Kumar

ORDER

The petitioner has filed this petition to set aside the order passed in memo in HMOP No.2145 of 2016 on the file of the IVth Additional Family Court at Chennai dated 07.07.2025.



2. Challenging the impugned order passed in O.P. No. 2145 of 2016, the petitioner/wife has filed the present revision. By the said order, the Trial Court observed as follows:

“The memo is rejected. The arrears payable to the wife can be decided only on evidence during trial, after determining whether the sale proceeds of the properties are to be accounted by the wife to the husband. The petitioner/husband shall continue to pay Rs.15,000/- per month to the wife from June 2025 till disposal of the HMOP, subject to the condition that the respondent/wife cooperates for the expeditious disposal of the case. No costs.”

3. Before the Trial Court, the respondent/husband had filed HMOP No. 2145 of 2016 seeking a decree of divorce. The same was contested by the wife/revision petitioner, who expressed her willingness for reunion, stating that she is living with their three sons. Pending the proceedings, she filed an application seeking interim maintenance, which was allowed. However, according to her, the husband failed to comply with the said order, resulting in accumulated arrears amounting to more than Rs.30 lakhs. She thereafter filed a memo before the Trial Court claiming that a sum of Rs.39 lakhs was due towards arrears of maintenance and sought a direction for payment of the same.



4. The Trial Court, however, held that the arrears payable could be decided only after recording evidence at trial, particularly in view of the issue relating to the sale proceeds of certain properties, which, according to the husband, had to be accounted for by the wife. The husband was directed to continue to pay Rs.15,000/- per month. Aggrieved by the said order, the wife has preferred this revision.

5. The learned counsel for the petitioner submitted that, pursuant to the order passed in I.A. No. 4668 of 2017 in the year 2019, the husband was directed to pay Rs.15,000/- per month as interim maintenance. However, he has not complied with the said order, and the arrears have accumulated to approximately Rs.39 lakhs. Despite bringing this to the notice of the Trial Court through a memo, the Court rejected the same without properly considering the conduct of the husband. Hence, it is prayed that the impugned order be set aside and appropriate directions be issued regarding the arrears.

6. Per contra, the learned counsel for the respondent/husband strongly objected to the claim. He submitted that while he was abroad, he had purchased certain properties and executed a power of attorney in favour of his wife. According to him, the wife sold the said properties in the year 2015 without his



consent and utilized the sale proceeds, which amounted to approximately Rs.32 lakhs, for her own purposes. He further contended that he has borne the entire educational expenses of their sons over the years. One son has completed engineering, another has completed medicine, and the third is presently studying at IIT. He claimed that he alone met the educational and family expenses. At present, he is working as a travel driver earning Rs.15,000/- per month. Therefore, without accounting for the sale proceeds received by the wife, she is not entitled to claim such huge arrears. He submitted that the Trial Judge rightly considered these aspects and that the order requires no interference.

7. Upon considering the submissions of both sides, it is evident that the divorce petition has been pending since 2016. The wife is residing with one of the sons who is still pursuing his studies, while the other two sons have completed their education. It is an admitted fact that an order of interim maintenance was passed in 2019. The wife has now claimed substantial arrears pursuant to that order.

8. The respondent has raised a specific contention that the wife sold properties purchased by him under a power of attorney and utilized the sale proceeds. He has also produced certain documents to show that he incurred educational expenses for the children and met family expenses through RTGS



transactions. Whether the sale proceeds are to be accounted for and to what extent the educational expenses paid by the husband should be considered are matters that can be properly adjudicated only upon full-fledged evidence during trial.

9. In such circumstances, the learned Trial Judge was justified in observing that the issue relating to arrears can be decided only after accounting for the sale proceeds and other relevant transactions. Hence, the order of the Trial Court does not warrant interference insofar as the rejection of the memo is concerned.

10. However, considering that the petitioner is presently living with one son who is pursuing his college education, and that the husband, being legally bound to maintain his wife during the pendency of matrimonial proceedings, the monthly maintenance payable by the husband is enhanced from Rs.15,000/- to Rs.20,000/- per month, payable until disposal of the HMOP.

11. Both parties are directed to cooperate for the expeditious disposal of the main OP. The learned Trial Judge is directed to dispose of HMOP No. 2145 of 2016 within a period of four months from the date of receipt of this order. The respondent/husband shall pay the monthly maintenance on or before the



first week of every English calendar month, within one week thereof.

WEB COPY

12. In view of the above, this Civil Revision Case is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

02-03-2026

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



CRP No. 3000 of 2025



To

1.K.R. Baskar
S/o. K. Ramachandran, No.22/1, Hyder
Garden, 1st Street, Jamalia,
Chennai 012.

2.The IVth Additional Family Court,
Chennai.

3.The Section Officer, VR Section,
High Court of Madras.



WEB COPY

CRP No. 3000 of 2025



T.V.THAMILSELVI J.
rri

CRP No. 3000 of 2025

02-03-2026