



WEB COPY

CRP No. 4028 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 4028 of 2024

Pavithra
D/o. Palaniswamy,
Door No.1/538, 1st Street, Srinivasa Nagar,
Velliyankadu, Tiruppur Taluk and Dist.

..Petitioner(s)

Vs

Muthuraj
S/o. Palanisamy Gounder
Door No. 2/44C, Tadharakattu Thottam,
Peralakattuvalasu, Virasolapuram Post, Kangayam
Taluk, Tirupur Dist.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art.227 of Constitution of India, praying to set aside the Decree and Judgment passed in IA.No. 68 of 2022 in H.M.O.P. No. 10 of 2020 dated 19.02.2024 on the file of the Sub - Court, Kangayam, Tiruppur Dist.

For Petitioner(s): Mr.Lakshminarayanan

For Respondent(s): Mr. V.Balamurugan

ORDER

Challenging the impugned decree and judgment passed in I.A.No.68 of 2022 in H.M.O.P.No. 10 of 2020 by the learned Sub-Judge, Kangayam, Tiruppur District, the Revision Petitioner/respondent had preferred this Civil Revision Petition.



2. Before the trial court, the Revision Petitioner filed the application seeking for interim maintenance praying for a sum of Rs.50,000/- per month for herself and her child. But, the trial court has granted only a sum of Rs.3000/- as interim maintenance from 20.10.2022. Aggrieved over that, she preferred this Civil Revision Petition.

3. The learned counsel for revision petitioner would submit that the respondent husband is a landlord, having 6 acres of coconut plantation and doing agriculture in 9 acres with two well along with borewells, thereby he is earning a sum of Rs.50,000/- per month. But, the trial court failed to appreciate the said aspect and erroneously granted only a sum of Rs.3000/- as interim maintenance. Since he is having sufficient source of income, the revision petitioner prayed for enhancement of maintenance.

4. Both the petitioner and respondent appeared in person along with their son. On perusal of records, the fact reveals that all these years, child's maternal uncle had paid school fees. However, the respondent is a landlord and having landed property in his native place. He admits that he owns the land, but he is disputing the particulars furnished on the side of revision petitioner wife. But, the trial court failed to take note of the fact that the revision petitioner is not employed as a teacher nor she is having any source of income, on the other hand, the respondent husband is having sufficient immovable agricultural land. All these years, son is under the custody of revision petitioner and as on date, the respondent has not paid the school fees. Considering all his conduct, the



order passed by the trial judge is modified. The respondent is directed to pay a sum of Rs.15,000/- per month as maintenance on or before 10th day of every English calendar month until it is modified by any court of law including entire expenses of minor son. Accordingly, this Civil Revision Petition is allowed. The revision petitioner is directed to pay arrears of maintenance within a period of eight weeks from the date of receipt of copy of this order, failing which, he is not entitled to proceed with the main Original Petition and in case of arrears of maintenance, charge is ordered over the immovable property. To that effect, the revision petitioner is entitled to take steps before the appropriate forum in the manner known to law. No costs.

27-04-2026

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

RPP

To

The Sub-Court, Kangayam.



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T.V.THAMILSELVI J.

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