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C.R.P.No.1575 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.02.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.1575 of 2024

P.Vijayabaskar

... Petitioner

vs.

1.P.V.Parvathi
2.V.Dhanasree
3.Minor V.Yamini

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order dated 14.08.2023 made in CrI.A.No.118 of 2022 on the file of the I Additional District Judge, Thiruvallur, modifying the order dated 02.09.2022 in CrI.M.P.No.4676 of 2022 in DVC.No.85 of 2022 by allowing this Civil Revision Petition.

For Petitioners : Mr.R.Prabakar

For Respondents :No Appearance



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the learned First Additional District Judge, Thiruvallur in an appeal enhancing the interim maintenance awarded by the learned Magistrate in Domestic Violence Proceedings.

2. The Respondents herein filed the complaint under Domestic Violence Act. Pending main proceedings, they also filed miscellaneous petition seeking maintenance for the first respondent/wife and respondents 2 and 3 daughters of the petitioner. The learned Magistrate has directed the petitioner to pay interim maintenance at the rate of Rs.3,000/- to each of the respondent.

3. Not satisfied with the quantum of interim maintenance ordered by the learned Magistrate, the respondents preferred an appeal in C.A.No.118 of 2022. The said appeal was partly allowed by directing the petitioner to pay a sum of Rs.5,000/- each to the respondents 1 and 2 and Rs.20,000/- per month to the minor 3rd respondent. Aggrieved by the said order, the petitioner/husband has come before this Court.



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4. The learned counsel appearing for the petitioner would submit that having regard to the relative circumstances of the parties, the total amount of Rs.30,000/- ordered by the Appellate Court towards interim maintenance is very much on higher side. Therefore, it requires interference by this Court.

5. A perusal of the typed set of papers would indicate that the Tribunal fixed the monthly income of the petitioner at Rs.1,34,367.15/- based on the pay slip produced before it. After deducting Rs.21,000/- towards repayment of housing loan, the net income of the petitioner was fixed at Rs.1,13,367/- and he has been directed to pay Rs.5,000/- each to the respondents 1 and 2. As far as 3rd respondent is concerned, she is a school going girl aged about 15 years. Therefore, taking into consideration her educational expenses and minority status, the Appellate Court has directed the petitioner to pay a sum of Rs.20,000/- per month as maintenance to the 3rd respondent. The impugned order by the Appellate Court is less than 25% of the gross salary of the petitioner, which was established at Rs.1,34,367.15/-.



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6. Having regard to the income of the petitioner, the quantum of maintenance amount fixed by the Court below is reasonable one. I do not find any error to interfere with the said order. Accordingly, The Civil Revision Petition stands dismissed.

7. The learned counsel appearing for the petitioner would submit that the second respondent daughter is in the custody of the petitioner now and therefore, the said fact may be taken into consideration, If there is any change of circumstances, it is always open to the petitioner to file appropriate application before the learned Magistrate seeking modification of the quantum of interim maintenance. With these liberty, the Civil Revision Petition stands dismissed. No costs.

03.02.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To
The I Additional District Judge,
Thiruvallur.



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S.SOUNTHAR, J.

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