



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 12.02.2026

Pronounced on:20.02.2026

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

**CRP. No.4976 of 2025
and CMP. No.25132 of 2025**

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Petitioner(s)

Vs

1.Arokiamary Anitha

2.The Executive Engineer,
TNEB Divisional Office,
Nellikuppam, Cuddalore District,
Tamil Nadu.

Respondent(s)

PRAYER: This Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, to set aside the Docket order dated 12.08.2025 made in CrI.M.P. No.1695 of 2025 in D.V.C. No.131 of 2023 on the file of the Judicial Magistrate, Mahila Court (Magistrate Level), Puducherry and allow the Civil Revision Petition.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.E.V.Chandru @ E.Chandrasekaran for R1
Mr.S.T.Raja,
Standing Counsel for R2



ORDER

The husband/respondent in Domestic Violence proceedings seeks to set aside the docket order dated 12.08.2025 in Crl.M.P. No.1695 of 2025 on the file of the Judicial Magistrate, Mahila Court, Puducherry.

2. I have heard Mr.C.Prabakaran, learned counsel for the petitioner Mr.E.V.Chandru @ E.Chandrasekaran, learned counsel for the first respondent and Mr.S.T.Raja, learned Standing Counsel for the second respondent.

3. The learned counsel for the petitioner Mr.C.Prabakaran, would submit that the order of attachment of salary passed by the Mahila Court is wholly unsustainable and illegal. According to the learned counsel, the first respondent wife has already received money under the guise of a settlement and only to harass the petitioner, Domestic Violence proceedings have been initiated against him. He would further state that without even quantifying the amount of salary, the order of attachment in a claim for maintenance is impermissible. He would further state that the petitioner has to maintain his family members and considering that his wife is leading a luxurious life, the learned Mahila Judge, ought not to have taken the extreme step of ordering attachment of the salary of the petitioner. He would therefore pray for the revision being allowed and



thereby, set aside the order of the Mahila Court, attaching the salary of the petitioner.

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4. Per contra, Mr.E.V.Chandru, learned counsel for the first respondent/wife would firstly state that the petitioner is earning not less than Rs.74,000/-, with a take home salary of about Rs.50,000/- which has been confirmed by the Standing Counsel for the employer of the petitioner viz., TNEB. He would further state that the petitioner has to take care of a differently abled minor and the amount of Rs.15,000/- which was ordered to be paid is very fair, just and reasonable and even the said amount has not been paid. He would further point out that even pending the revision, a specific direction was issued by this Court directing payment of Rs.1,50,000/- to the first respondent, however the petitioner has not chosen to comply with the said order and the interim stay initially granted while admitting the revision was also vacated on 02.02.2026. Despite the matter being adjourned to 09.02.2026, finally for enabling the petitioner to comply with the order also, the petitioner has not been able to pay any amount to the respondents.

5. As rightly pointed out by the learned counsel for the first respondent, Mr.E.V.Chandru, the Court has rightly factored the requirement of the first respondent for maintenance, that too, to take care of differently abled minor, for whom substantial expenses would be necessary for even basic sustenance. The



order directing the maintenance of Rs.15,000/- is therefore fair, just and proper and I do not find any infirmity in the findings arrived at by the Mahila Court warranting interference in revision. Consequently, the order directing the second respondent employer to attach the salary of the petitioner is also in order. Section 60 of the Code of Civil Procedure, 1908 (in short 'CPC') has also been taken into account and the learned Judicial Magistrate, Mahila Court has kept in mind, the mandate of Section 60 CPC while ordering attachment of salary of the first petitioner to an extent of 2/3rd of his take home salary, I do not find any merit in the revision and consequently, this Civil Revision Petition is **dismissed**.

6. The learned counsel for the first respondent is at liberty to seek for payment out of the amounts deposited, if any, by the petitioner before the Mahila Court, in compliance with any of the earlier orders passed by the Mahila Court and all amounts lying to the credit of the Domestic Violence proceedings, on such formal application being filed, shall be paid out to the first respondent without any undue delay. Consequently, connected Miscellaneous Petition is closed. No costs.

20.02.2026

rkp

Neutral Citation Case : Yes/No

Internet: Yes/No



Index : Yes/No



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To:

1. The Judicial Magistrate, Mahila Court (Magistrate Level),
Puducherry.
2. The Executive Engineer,
TNEB Divisional Office,
Nellikuppam, Cuddalore District,
Tamil Nadu.



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P.B.BALAJI, J.,

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Pre-delivery order in
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