



WEB COPY

CRP No. 5746 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

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

CRP No. 5746 of 2025

AND

CMP NO. 28597 OF 2025

Vidya Iyer
W/o Kishore
V.A.S, B5 Srinivasa Apartments,
Srinivasa Avenue Road,
R. A Puram, Chennai 600 028

..Petitioner(s)

Vs

Kishore V.A.S
S/o V.Satyanarayana,
Zion Flats, G-1, Ground Floor,
No 25/7, Gangai Amman Koil Street,
Kodambakkam, Chennai 600024

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the fair and decretal order passed in IA No. 2 of 2023 in OP No. 2433 of 2021 dt. 22.08.2025 by the Learned V Principal Judge Family Court, Chennai.

For Petitioner(s): Mr. R.Narendren

For Respondent(s): Ms.Aishwarya G. Prakash for
M/s.A.S.Kailasam & Associates



ORDER

Challenging the impugned order passed in I.A.No.2 of 2023 in O.P.No.2433 of 2021 by the learned V Principal Judge, Family Court, Chennai, the Revision Petitioner/Respondent preferred this Civil Revision Petition.

2. Before the trial court, the Revision Petitioner filed an application under Sec.24 of the Hindu Marriage Act seeking a direction to the respondent to pay a sum of Rs.1,00,000/- per month to the minor daughter. When the matter was taken up for enquiry before the trial court, she was not present and she was not ready for enquiry, which was pending for more than one year. Therefore, the trial judge had observed that she was not inclined to contest the application and only to drag on the proceedings unnecessarily, she had filed the said application. Accordingly, it was dismissed. Aggrieved over the said findings, the Revision Petitioner/Respondent preferred this Civil Revision Petition.

3.The learned counsel for Revision Petitioner would submit that after filing of the petition in O.P.No.2433 of 2021, there was a mediation was conducted and the same was closed in the month of February 2024, due to which, she was not able to give proper instructions. However, the application was erroneously dismissed as she is not ready to cooperate with the proceedings. Further, the maintenance amount was not paid for the minor children. He would also submit that since her father's ceremony was conducted,



she was not able to appear on that day. Hence, she prayed to set aside the findings of trial judge.

4.The learned counsel for respondent raised objections stating that in order to drag on the proceedings, she had filed the said application and also pointed out that an application was filed by the respondent seeking interim visitation and the same is pending before the trial court.

5.Heard and considered rival submissions made by both learned counsel for Revision Petitioner and Respondent and perused the materials available on record.

6.As on date, the child is under the custody of mother and as a mother, she had sought for interim maintenance for the child, however, father is also entitled for visitation right, but the trial judge failed to take note of the same. Considering the said fact and also in order to give one more opportunity, the order passed by the trial judge in I.A.No.2 of 2023 in O.S.No.2433 of 2021 is set aside. Both parties are directed to cooperate with the proceedings. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

09-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RPP
To
The V Principal Judge, Family Court, Chennai.



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T.V.THAMILSELVI J.

RPP

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