



WEB COPY

CRP.No.6669 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6669 of 2025 and
CMP No.32991 of 2025**

1. Vinothkumar
S/o. Ganesan, D.No.4/57,
Sunnambukaratur, Koneripatti Village,
Sangagiri Taluk, Salem District.

Petitioner(s)

Vs

1. Vaidhegi
W/o. Vinothkumar, D/o. Srinivasan,
D.No.40, Murugan Kovil street,
Kesarimangalam Village,
Kupichipalayam, Bavani Taluk,
Erode District.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside order and decreetal order passed in CMP No.2of 2024 in DVC No.15 of 2023 dated 28.08.2025 on the file of the Learned Judicial Magistrate No.1, Bhavani.

For Petitioner(s): Mr. T.Muruganantham



ORDER

This Civil Revision Petition is filed, challenging the order passed by the learned Judicial Magistrate No.1, Bhavani, directing the petitioner/husband to pay interim maintenance at Rs.6,000/- per month to the respondent/wife, pending disposal of the complaint preferred by the respondent in DVC No.15 of 2023.

2. If the petitioner is aggrieved by the impugned order, he can very well file an appeal under Section 29 of DVC Act, as per the law laid down by the Full Bench of this Court in *Arul Daniel and Others Versus Suganya reported in (2022) SCC Online Mad 5435*. Therefore, in view of the availability of the alternative remedy to the petitioner, this court is not inclined to interfere with the order passed by the Trial Court.

3. Accordingly, this civil revision petition is dismissed with liberty to the petitioner to file an appeal as stated above. There shall be no order as to costs. Connected miscellaneous petition is closed.



CRP.No.6669 of 2

4. The petitioner is entitled to exclude the period taken by him in prosecuting this civil revision petition before this court i.e. from 19.11.2025 to the date of receipt of copy of the order of this civil revision petition, while calculating limitation, for the purpose of filing an appeal under Section 29 of DVC Act. Registry is directed to return the original impugned order to the learned counsel for the petitioner.

06.01.2026

Internet : Yes
Index : Yes / No
Neutral Citation: Yes/No
MST

To

The Judicial Magistrate No.1,
Bhavani.



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CRP.No.6669 of 2

S.SOUNTHAR, J.

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06.01.2026