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C.R.P.No.6308 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.02.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.6308 of 2025
and CMP.No.31275 of 2025

Vijayakumar

... Petitioner

vs.

Daisy Rani

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order dated 02.08.2025 passed in I.A.No.1 of 2024 in O.P.No.2305 of 2023 on the file of the VII Additional Family Judge, Chennai by allowing the Civil Revision Petition.

For Petitioner : Mr.J.Rajkumar

For Respondent :M/s.Geeta Ramaseshan

ORDER

The Civil Revision Petition is filed challenging the order passed by the Family Court, directing the petitioner to pay monthly maintenance at the rate of Rs.15,000/- per month to the respondent and her child.



2. The petitioner herein filed a petition for divorce under Section 39 of Indian Divorce Act, 1869. The respondent/wife filed an application seeking interim maintenance. She claimed interim maintenance at the rate of Rs.22,000/- per month. However, the Family Court by impugned order directed the petitioner to pay interim maintenance of Rs.15,000/- per month. Aggrieved by the quantum of maintenance, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner by taking this Court to the salary slip filed in the typed set of papers would submit that the monthly income of the petitioner is Rs.23,820/- and therefore, the quantum of interim maintenance fixed by the Family Court is on the higher side.

4. The learned counsel appearing for the respondent would submit that as per the affidavit of assets and liabilities filed by the respondent, her monthly expenses is more than Rs.15,000/- as recorded by the trial Court and therefore, the quantum of maintenance fixed by the trial Court need not be interfered with.



5. A perusal of the affidavit filed by petitioner before the trial Court would indicate that the monthly expenses was mentioned as Rs.23,818/- in column No.7, apart from that, the petitioner also mentioned about outstanding loan liability to the tune of Rs.4,00,000/-. Therefore, the monthly income of the petitioner should be little more than Rs.23,818/- as claimed by him, if the loan instalment is taken into consideration. The salary slip and identity card of the petitioner's employer are also included in the typed set of papers.

6. A Perusal of the same would indicate that the petitioner is employed as Security Supervisor in a company. The computer generated salary slip filed in the typed set of papers would indicate that the salary was mentioned as Rs.23,820/- for the months of August, September and October 2025. Taking into consideration the salary of the petitioner and the expenses mentioned by him in the affidavit of assets and liabilities, this Court feels the quantum of interim maintenance fixed by the Family Court is on the higher side.



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7. According to the learned counsel for the petitioner, the respondent is employed as a Tailor and she is earning a minimum Rs.5,000/- per month.

Apart from the respondent, the petitioner is also bound to maintain the minor child. Taking into consideration the circumstances, interim maintenance fixed by the Family Court is reduced to Rs.12,000/- per month and the petitioner is directed to pay the same from the date of filing of petition i.e., 15.09.2023 till the final disposal of the original petition.

8. Accordingly, this Civil Revision Petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

19.02.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To
The VII Additional Family Judge,
Chennai.



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S.SOUNTHAR, J.

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