



WEB COPY

CRP.No.6470 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6470 of 2025 and
CMP No.31957 of 2025**

1. ZUBAIR alias SUBAIR
S/o Bawa, Door No 13/171D,
Erumadu Panchayat and Post,
The Nilgiris.

Petitioner(s)

Vs

1. Sahira
W/o Zubir alias Subair, Door No
13/133, Madakkal House, Bagana,
Cuddalore, The Nilgiris.

2.Sabia, W/o.Bawa,

3.Sakeena, W/o.Syed Alivi,

4.Shanaz Ali, S/o.Syed Alivi,

5.Sahana, D/o.Abdullah,
Respondents 2 to 4 are residing at
D.No.13/171D, Erumadu Panchayat
and Post, The Nilgiris.

Respondent(s)



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PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the interim maintenance order dated 16.12.2024 passed in CMP.No.11/2021 in DVC.No.11/2021 on the file of Judicial Magistrate, Additional Mahila Court, at Udhagamandalam.

For Petitioner(s): Mr. G.Jaisivaramaraj

ORDER

This Civil Revision Petition is filed , challenging the order passed by the learned Judicial Magistrate, Additional Mahila Court, at Udhagamandalam, directing the petitioner/husband to pay interim maintenance at Rs.10,000/- per month to the first respondent/wife.

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.



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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.

4. The petitioner is entitled to exclude the period taken by him to prosecute this civil revision petition before this court i.e. from 27.11.2025 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,
Additional Mahila Court,
Udhagamandalam.



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S.SOUNTHAR, J.

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