



CRP(MD). No.3945 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07.01.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3945 of 2025

and

CMP(MD) No.20622 of 2025

R.Rajeshwaran
through his power agent
T.Rajendran

... Petitioner

Vs

Agalya

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India, to set aside return order dated 27.10.2025 unnumbered Interim Application in I.A.No.9 of 2024 in H.M.O.P.No. 202 of 2022 on the file of Learned Family Court, Thanjavur.

For Petitioner : Mr.Jayaveera Pandi for
Mr.V.R.Shanmuganathan

ORDER

This Civil Revision Petition is filed challenging the return made in unnumbered Interim Application in I.A.No. ... of 2025 in I.A.No.9 of 2024 in H.M.O.P.No. 202 of 2022, dated 27.10.2025, on the file of the Family Court, Thanjavur.



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2.The petitioner is representing his case through his father/power agent, namely, T.Rajendran. The marriage between the petitioner and the respondent was solemnized on 28.06.2017, as per Hindu Rites and Customs and due to the matrimonial dispute arose between them, the petitioner/husband filed HMOP.No.202 of 2022 for divorce and the respondent/wife filed HMOP.No.284 of 2022 seeking restitution of conjugal rights. Both the petitions were tried together and the learned Judge, Family Court, Thanjavur, vide common order dated 26.02.2024, had dismissed HMOP.No.202 of 2022 and had allowed HMOP.No.284 of 2022. Challenging both the orders, the petitioner had preferred appeals in CMA(MD) Nos.615 and 616 of 2024 before this Court, which is now pending.

3.Meanwhile, the respondent/wife filed an interlocutory application in I.A.No.9 of 2024 in HMOP.No.202 of 2022, claiming a sum of Rs.50,000/- per month towards maintenance, a sum of Rs. 5,00,000/- per year towards medical and educational expenses and a sum of Rs.20,000/- towards arrear amount of interim maintenance. After



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adjudication, the learned Judge, Family Court, Thanjavur, vide order dated 15.07.2025, had allowed the said application, directing the petitioner to pay a sum of Rs.30,000/- as monthly maintenance, to pay a sum of Rs.1,50,000/- per year towards medical and educational expenses and to pay a sum of Rs.20,000/- towards interim maintenance. Thereafter, without knowing these facts, the petitioner has filed an interlocutory application in I.A.No.un-numbered of 2025, permitting him to obtain legal assistance from the Advocates, namely, Mr.V.Porchezian and Mr.J.Padhmanaban to contest the maintenance case. This application was returned on 27.10.2025, stating that 'order was pronounced on 15.07.2025. Hence, this petition is returned'. Challenging the same, the present Civil Revision Petition has been filed.

4.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds of Civil Revision Petition would submit that when the matter is pending before the mediation Centre attached to this Bench for mediation between the parties, the respondent/wife got an *ex parte* order from the Court below. He would therefore pray for appropriate orders.



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5. Since no adverse order is going to be passed as against the respondent, notice to the respondent is dispensed with.

6. Admittedly, the respondent/wife filed an interlocutory application in I.A.No.9 of 2024 in HMOP.No.202 of 2022 seeking maintenance, which was allowed by the Court below, vide order 15.07.2025. Without knowing about the order passed in I.A.No.9 of 2024, the petitioner filed I.A.No.un-numbered of 2025, permitting him to obtain legal assistance from the Advocates for contesting the case in I.A.No.9 of 2024 in HMOP.No.202 of 2022 and the same was returned by the Registry of the Court below on 27.10.2025, stating that an order was already passed on 15.07.2025 in I.A.No.9 of 2024 in HMOP.No.202 of 2022.

7. Even though it is argued by the learned counsel for the petitioner that when the appeal is pending before the mediation Centre attached to this Bench for mediation, the respondent/wife got an *ex parte* order in I.A.No.9 of 2024 in HMOP.No.202 of 2022 and the petitioner came to know about the order passed only on 16.10.2025, this Court is of the



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view that the petitioner, being a party to the maintenance case, ought to have known about the on-going proceedings of his case. Having been aware of the proceedings, his claim of non-service of notice is also not sustainable. The petitioner's claim of ignorance is not supported by any cogent evidence or explanation and as such, the return made by the Court below, is well-reasoned and based on evidence. Thus, there is no ground for interference.

8.From the above, this Court is of the view that this Civil Revision Petition lacks merits and is accordingly, dismissed. If the petitioner is aggrieved, it is for him to challenge the order of maintenance, in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

The Judge, Family Court, Thanjavur.

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N.SENTHILKUMAR, J.

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