



CRP(MD). No.3738 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**Dated : 05.02.2026**

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**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**C.R.P(MD). No.3738 of 2025**

**and**

**C.M.P(MD) No.19678 of 2025**

Sadhanantham

... Petitioner

Vs

Vidhyalakshmi

... Respondent

**PRAYER:-** Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair order in I.A.No.1 of 2023 in H.M.O.P.No.51 of 2023 on the file of the Principal Sub Court, Srivaikundam.

For Petitioner : M/s.A.S.Sangeetha

For Respondent : Mr.D.Ramki

**ORDER**

This Civil Revision Petition has been filed challenging the order passed in I.A.No.1 of 2023 in H.M.O.P.No.51 of 2023 on the file of the Principal Sub Court, Srivaikundam, wherein the learned Judge directed



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the revision petitioner to pay a sum of Rs.15,000/- to the wife and Rs. 10,000/- to the child towards monthly maintenance. Challenging the said order, the present Civil Revision Petition has been filed.

2. M/s.Sangeetha, learned counsel appearing for the revision petitioner/husband, contended that the revision petitioner is working as a salesman in a jewellery shop and is drawing a salary of Rs.20,000/- per month. According to the learned counsel, there is no proof to show that the revision petitioner is earning more than the said amount. However, the trial Court, without properly considering the income of the revision petitioner, directed him to pay a total sum of Rs.25,000/- per month towards maintenance.

3. Per contra, the learned counsel appearing for the respondent submitted that the revision petitioner is capable of paying the maintenance amount as directed by the trial Court and therefore the order passed by the trial Court does not warrant any interference.



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4. This Court has carefully considered the submissions made on either side and perused the materials available on record. It is seen that the respondent has not produced any document before the trial Court to establish that the revision petitioner/husband is earning more than Rs.20,000/- per month.

5. In the absence of any material before the trial Court to determine the appropriate quantum of maintenance, it ought not to have fixed the amount independently. In view of the specific plea of the husband that he is not in a position to pay Rs.25,000/- as maintenance and that his monthly income is only Rs.20,000/-, the order passed by the trial Court is hereby set aside. However, the petitioner is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) per month to the respondent and to his child for maintenance. Accordingly, this petition is allowed to the extent indicated above. Consequently, connected Miscellaneous Petition is closed. No costs.

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**N.SENTHILKUMAR, J.**

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