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IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, TIRUPATHUR,
TIRUPATHUR DISTRICT.

Present : **Selvi. M. K. Anusha. M. L.**
Chief Judicial Magistrate,
Tirupathur District.

Monday this the 04th day of May 2026
Thiruvalluvar Aandu 2057, Siri Parabhava Aandu 21st day of Chithirai Thingal.
Maintenance Case No. 11/2024
CNR NO. TNTU020001162024

Kalpana W/o. Sankar,
Residing at Achamangalam Village and Post,
Tirupathur Taluk, Tirupathur District.

...Petitioner

//Versus//

Sankar S/o. Chinnakulanthai,
Residing at Kurisilapet Village and Post,
Tirupathur Taluk, Tirupathur District.

... Respondent

This Maintenance case is coming up before me for Final hearing on 04.05.2026 in the presence of Tr.M.Siva,B.A.,B.L., Counsel for Petitioner and Tr.Ra.Ramesh, M.A.,M.L., Counsel for respondent and upon consideration of evidences on hearing arguments of both sides and having stood over under my consideration till date, this Court delivers the following:

Order

The petitioner claim maintenance for the sum of Rupees 10,000/- per month and with cost.

M.C. No.19/2024
Date:- 19.01.2026

M.K.Anusha,
C.J.M., Tirupathur



1. The averments of the amended petition in brief:-

The petitioner and respondent was solemnized on 10.09.2000. The petitioner and respondent are husband and wife. The respondent has to be directed to pay maintenance for a sum of Rs 10,000 in favour of the petitioner. Hence petition for maintenance.

2. The summary of Counter filed by respondent:-

The petition is not maintainable either in law or on facts. The petitioner is put to strict proof of the facts except those that are specifically admitted herein. The marriage between petitioner and respondent was solemnized on 10.09.2000. The petitioner did not perform marital obligations. Hence the petition is to be dismissed with costs.

3. Points for consideration:

1. Whether the respondent is having obligation to maintain the petitioner ?
2. Whether the petitioner is having sufficient means to maintain them self ?
3. Whether the petitioner is entitled for maintenance ?
4. Whether the petitioner is entitled for a sum of rupees 10,000/- per month towards maintenance ?
5. Whether the petitioner is entitled to the claim as prayed for ?
6. To what other relief the petitioner is entitled to ?



4. Points No.1 to 5

The maintenance case is filed by the petitioner claiming maintenance for a sum of Rupees 10,000/- per month towards petitioner.

5. The respondent filed counter. The petitioner side examined herself as PW.1. Ex.P.1 to Ex.P.3 are marked. One Munusamy is examined as PW.2. The respondent examined as RW.1. One Pavithra is examined as RW.2. The respondent side did not adduced oral or documentary evidences. Both side argument heard.

6. On consideration the evidence of PW.1 and RW.1 dated 04.05.2026, it is noted that the petitioner and respondent are living jointly after re-union pending case. The petitioner agreed that she is living with respondent under one roof at the house of respondent. There is no cause of action. The essential ingredients contemplated for granting maintenance under 125(1) Cr.P.C is not made out. The petitioner is not entitled for maintenance. The petition deserves dismissal.

7. For the reasons stated above the points are decided accordingly.

8. Point No.6

This Court determined that the petitioner is not entitled for maintenance. Hence the petitioner is not entitled for any other relief.

9. For the reasons stated above the point is decided accordingly.



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Result

10. In the result, Maintenance Case is dismissed and no cost.

Dictated by me directly to the Typist, computerized by her directly in the computer, corrected and pronounced by me in the Open Court, this the 04th day of May 2026.

M.K.Anusha,
Chief Judicial Magistrate,
Tirupathur.

Petitioner side Evidence:-

PW.1 – Kalpana.
PW.2 – Munusamy.

Petitioner side Documents:-

1	10.09.2000	Wedding Invitation.	Ex.P.1
2	-	Xerox copy of Aadhar card of petitioner.	Ex.P.2
3	-	Petition copy of M.C.No.17/2020	Ex.P.3

Respondent side Evidence:-

RW.1 – Sankar.
RW.2 – Pavithra.

Respondent side Document:- Nil.

Dated at Tirupathur Taluk and District this the 04th day of May 2026.

M.K.Anusha,
Chief Judicial Magistrate,
Tirupathur.

M.C. No.19/2024
Date:- 19.01.2026

M.K.Anusha,
C.J.M., Tirupathur