



/1/

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

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

Friday this the 12th day of June 2026
Thiruvalluvar Aandu 2057, Siri Parabhava Aandu 29th day of Vaikasi Thingal.

Maintenance Case No. 21/2024
CNR NO. TNTU020001872024

Tmt.Pushparani W/o.Selvam (Age 41)
D.No.66/209, Alangayam mainroad,
Nethaji Nagar, Vaniyambadi Taluk

...Petitioner

//Versus//

Selvam S/o. Mani,
No.288, Nariyaneari Village and Post,
Tirupathur Taluk and District.

...Respondent

This Maintenance case is coming up before me for Final hearing on 12.06.2026 in the presence of Tr.Y.Raja, Com.,B.L., Counsel for Petitioner and Tr.Samypalani,B.A.,B.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 15,000/- per month towards petitioner per month and with cost.

M.C. No.21/2024
Date:- 12.06.2026

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



1. The averments of the petition in brief:-

The petitioner and respondent got married on 17.04.2000. The petitioner had a two female and one male born out of the wedlock between petitioner and respondent. The petitioner has performed all the acts as dutiful wife. The respondent lead a wayward life. The respondent failed to perform marital obligation. Hence the petitioner requires maintenance for maintaining basic necessity. The respondent was earning enormously. Hence the petition.

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 17.04.2000. That petitioner is did not care about respondent and his parents and neglected the welfare of the family. The petitioner was gave mental worries to respondent in several ways. 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 15,000/- per month towards maintenance ?



5. To what other relief the petitioner is entitled to ?

4. Points No.1 to 4

The maintenance case is filed by the petitioner claiming maintenance for a sum of Rupees 15,000/- 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. The respondent examined himself as RW.1. This Court proceeded the case on the basis of materials available on record.

6. The Ex.P1 is Xerox copy of Wedding Invitation, Ex.P.2 is Xerox copy of Aadhar card for petitioner and Ex.P.3 is Order copy in HMOP No.85/2022. The perusal of said documents would show that petitioner and respondent got married on 17.04.2000 and the petitioner is resident of Vaniyambadi. It is crystal clear that the relationship between petitioner and respondent as husband and wife is well established. The respondent did not disputed regarding said fact. It is admitted by the respondent that the petitioner is wife of him. The petitioner and respondent are living separately.

7. The PW.1 cross examination, “நாட்டறம்பள்ளியில் உள்ள பெயரிலும் மற்றும் எதிர்மனுதாரர் தன் பெயரிலும் 2021-ம் ஆண்டு சொத்து ஒன்று இருவர் பெயரிலும் கிரயம் பெற்றுள்ளாரா என்றால் ஆமாம். உங்கள் மீது உள்ள அன்பினாலும் பாசத்தினாலும் எதிர்மனுதாரர் இருவர் பெயரிலும் சொத்தினை கிரயம் பெற்றுள்ளார் என்று சொன்னால் சரியல்ல



பாதுகாப்பிற்காக தான் சொத்து கிரயம் வாங்கப்பட்டது.” It is admitted petitioner that there was a property purchased by the respondent jointly in the name of petitioner and respondent. So, it is clear that the respondent maintained the petitioner at the time of living jointly.

8. The PW.1 cross examination, “எதிர்மனுதாரர் தினக்கூலிக்கு மேஸ்திரி வேலை செய்பவர் என்றால் சரிதான். எதிர்மனுதாரருக்கு சுமார் 50 வயது ஆகிறதா என்றால் ஆமாம்.” It is admitted by the petitioner that the respondent is doing labor work. It is noted that the property in the name of petitioner and respondent will not be sufficient to maintain the petitioner. The petitioner cannot escape from liability by stating that he is doing labor work. The respondent is duty bound to maintain the petitioner. The respondent is under legal and moral obligation to maintain the petitioner. There is no justification from evading the duty of providing maintenance to petitioner. So, the respondent is liable to maintain the petitioner.

9. The evidence of PW.1, Ex.P1 to Ex.P3 are sufficient to establish that the petitioner is striving hard for basic necessities. The respondent did not come forward to dispute the means of petitioner. The evidences of petitioner is sufficient to arrive that they requires maintenance for meeting out basic necessities. The allegations raised in the counter are not substantiated.



10. The assets and liabilities filed by the petitioner would show that the petitioner did not have means and sufficient means to maintain herself. The respondent did not come forward to dispute and also test the veracity of evidence of petitioner. The evidence is neither tested nor confronted by the respondent.

The RW.1 is cross examined on the aspect of, “உங்களுக்கு தினக்கூலி எவ்வளவு என்றால் ரூ.550/- முதல் 600/- ஆகும். நீங்கள் உள்ளூரில் வேலை செய்கிறீர்களா என்றால் ஆமாம். நீங்கள் உள்ளூரில் மேஸ்திரி வேலை செய்து தினமும் ரூ.1000/- சம்பாதித்து வருகிறீர்கள் என்றால் சரியல்ல. உங்கள் வருமானத்தில் தினசெலவு எவ்வளவு ஆகிறது என்று சொன்னால் ரூ.600/- செலவாகிறது. மனுதாரரின் தகப்பனார் உயிருடன் இல்லை என்றால் சரிதான். மனுதாரரின் தாயார் வயதானவர்கள் என்று சொன்னால் சரிதான். மனுதாரரின் வயதான தாயார் பராமரிப்பில் தான் மனுதாரர் உள்ளால் என்றால் சரிதான்.” The evidence of respondent admit that the petitioner is striving are for living hood.

11. The petitioner may requires at least a sum of one hundred and fifty rupees per day for meeting out the basic necessities. Considering the prevailing facts and circumstances, basic requirements to lead a life, this Court is of opinion that the petitioner may require a sum of Rs.5,000/- per month to meet out the basic necessities such as food, shelter, clothing, medical expenses etc. The petitioner is entitled for



/6/

maintenance from the date of petition. The respondent is directed to pay the arrears amount within the period of three months from the date of order.

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

13. Point No.5

This Court determines that the petitioner entitled to a sum of Rs.5,000/- per month from the date of petition. The respondent is directed to pay the arrears amount within the period of three months from the date of order. Hence the petitioner is not entitled for any other relief.

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

Result

15. In the result, the petitioner is entitled to a sum of Rs.5,000/- (Five thousand only) per month from the date of petition. The Respondent shall pay the said amount of Rs.5,000/- on or before 5th day of every month. The petitioner is entitled for maintenance from the day of filing this petition. The respondent is directed to pay the arrears amount to the petitioner within the period of three months from the date of order. Maintenance Case is allowed accordingly 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 12th day of June 2026.

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

Petitioner side Evidence:-

PW.1 – Pushparani.

Petitioner side Documents:-

1. 17.04.2000 Xerox copy of Wedding Invitation. Ex.P1
2. - Xerox copy of aadhar card of petitioner. Ex.P2
3. 07.10.2023 Order copy of HMOP No.85/2022 Ex.P3

Respondent side evidence:-

RW.1 – Selvam.

Respondent side Document :- Nil.

Dated at Tirupathur Taluk and District this the 12th day of June 2026.

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