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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 10<sup>th</sup> day of April 2026  
Thiruvalluvar Aandu 2057, Shri Vishwavasu Varudam 27<sup>th</sup> day of Panguni Thingal.

**Maintenance Case No. 40/2024**  
CNR NO. TNTU020130642024

1. Tmt.Durga W/o.Silambarasan (Age 24),
2. Minor.Yuvasri D/o. Adhisri,  
Kavarai Street, Mallagunda Village,  
Natrampalli Taluk, Tirupathur District.

Petitioners

**//Versus//**

Silambarasan S/o. Raja (Age 32),  
Periya Kuttur, Mookanur,  
Natrampalli Taluk, Tirupathur District.

Respondent

This Maintenance case is coming up before me for Final hearing on 10.04.2026 in the presence of Tr.V.Rajivgandhi,B.A.,B.Ed.,B.L., Counsel for Petitioners and Tmt.V.Manimozhi, Counsel for Respondent and the Respondent was called absent and set ex-parte for not appearing 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:

M.C. No.40/2024  
Date:- 10.04.2026

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



## **Order**

The petitioners claim maintenance for the sum of Rupees 15,000/- per month towards petitioners per month and with cost.

### **1. The averments of the petition in brief:-**

The first petitioner and respondent got married on 06.04.2022. The petitioner has performed all the acts as dutiful wife. The second petitioner born out of the wedlock. The petitioner is striving hard for living and managing child. Hence the first petitioner requires maintenance for maintaining basic necessity. The HMOP.No.130/2022 filed and same was pending. The respondent was earning a sum of rupees 1,00,000/- from the business. The respondent is owning a land. 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 06.04.2022. The petitioner and respondent had no matrimonial relationship and it is false to state that the female child born through the above said wedlock. That petitioner did not care about respondent and his parents and neglected the welfare of the family. The petitioner gave mental worries to respondent in several ways. The respondent filed a case before Sub Court seeking nullity of marriage. Hence the petition is to be dismissed with costs.



**3. Points for consideration:**

1. Whether the respondent is having obligation to maintain the petitioners ?
2. Whether the petitioners are having sufficient means to maintain them self?
3. Whether the petitioners are entitled for maintenance ?
4. Whether the petitioners are entitled for a sum of rupees 15,000/- per month towards maintenance ?
5. To what other relief the petitioner are entitled to ?

**4. Points No.1 to 4**

The maintenance case is filed by the petitioners claiming maintenance for a sum of Rupees 15,000/- per month towards petitioners.

5. The respondent was set ex-parte for not appearing. The respondent filed counter. The petitioners side examined PW.1 and marked Ex.P.1 to Ex.P.4. One Nagarani examined as PW.2. This Court proceeded the case on the basis of materials available on record.

6. The Ex.P1 is a Wedding Invitation, Ex.P.2 is a Marriage Photo and Ex.P.3 is Xerox copy of Aadhar card for first petitioner. The perusal of said documents would show that first petitioner and respondent got married on 06.04.2022 and the petitioners are resident of Natrampalli. It is crystal clear that the relationship between first petitioner and respondent as husband and wife is well established. Ex.P.4 is Xerox copy



of birth certificate for second petitioner. The status of second petitioner as daughter of first petitioner and respondent is well established. The respondent disputed regarding said fact did not substantiate the same. The birth certificate is prima facie proof and evidence as to birth of second petitioner to first petitioner and respondent.

7. The evidence of PW.1, Ex.P1 to Ex.P.4 are sufficient to establish that the petitioners are striving hard for basic necessities. The respondent did not come forward to dispute the means of petitioners. The evidences of petitioners are sufficient to arrive that they requires maintenance for meeting out basic necessities. The allegations raised in the counter are not substantiated.

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

9. The petitioners may requires at least a sum of five hundred 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 petitioners may require a sum of Rs.15,000/- per month each to meet out the basic necessities such as food, shelter, clothing, medical and educational expenses etc. The respondent in counter stated that he was working in Singapore. Therefore, this Court determines that the first



petitioner is entitled to a sum of Rs.10,000/- per month and second petitioner is entitled to a sum of Rs.5,000/- per month to maintain themselves. The petitioners are entitled for 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.

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

### **11. Point No.5**

This Court determines that the first petitioner entitled to a sum of Rs.10,000/- per month and second 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 petitioners are not entitled for any other relief.

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

### **Result**

*13. In the result, the first petitioner is entitled to a sum of Rs.10,000/- (Ten thousand only) per month from the date of petition. The second 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.15,000/- before 5<sup>th</sup> of every month. The petitioners are entitled for maintenance from the day of filing this petition. The respondent is directed to pay the arrears amount to the petitioners 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 10<sup>th</sup> day of April 2026.

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

**Petitioner side Evidence:-**

PW.1 – Durga.

PW.2 – Nagarani.

**Petitioner side Documents:-**

1.	06.04.2022	Wedding Invitation.	Ex.P1
2.	-	Marriage Photo.	Ex.P2
3.	11.08.2017	Xerox copy of aadhar card of first petitioner.	Ex.P3
4.	17.01.2023	Xerox copy of birth certificate of second petitioner	Ex.P4

Respondent side evidence and document – Nil.

Dated at Tirupathur Taluk and District this the 10<sup>th</sup> day of April 2026.

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