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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.

Monday this the 29th day of June 2026
Thiruvalluvar Aandu 2057, Shri Vishwavasud Varudam 15th day of Aani Thingal.

Maintenance Case No. 61/2024
CNR NO. TNTU020139082024

1. Tmt.Thiruvalli @ Thiruselvi,
W/o.Sekar, (Age 38),
2. Sujitha D/o. Sekar, (Age 18)
Both are residing at Jollagoundar Village,
Irunapattu Post, Thirupathur Taluk,
Thirupathur District.

...Petitioners

//Versus//

Sekar S/o. Kannan (Age 43),
Kizhaku medu, Natrampalli Taluk,
Thirupathur District.

...Respondent

This Maintenance case is coming up before me for Final hearing on 29.06.2026 in the presence of Tr.M.Suresh, B.A.,B.L., Counsel for Petitioners 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 petitioners claim maintenance for the sum of Rupees 50,000/- per month towards petitioners per month and with cost.

M.C. No.61/2024
Date:- 29.06.2026

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

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

The first petitioner and respondent got married on 07.04.2003. The first petitioner had a one male child and one female born out of the wedlock between first 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 petitioners 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 07.04.2003. 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 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 50,000/- 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 50,000/- per month towards petitioners.

5. The respondent filed counter. The petitioner side examined herself as PW.1. Ex.P.1 to Ex.P.6 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 a Wedding Invitation, Ex.P.2 is Xerox copy of Aadhar card for first petitioner and Ex.P.6 is a marriage photo. The perusal of said documents would show that first petitioner and respondent got married on 07.04.2003 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.3 Xerox copy of birth certificate of male born to first petitioner and respondent, Ex.P.4 Xerox copy of Aadhar card for second petitioner, Ex.P.5 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 respondent in the counter admits the relationship and also put forward that he is maintaining the petitioner and children born out of wedlock. The



respondent purchased land and also constructed house for the first petitioner and children. Therefore, the respondent is dutiful husband and father.

8. It is noted from PW.1 cross examination that the pension amount is sufficient to maintain the basic expenses of respondent and his parents. Further, the respondent is willing to live with first petitioner and the first petitioner alone driven the respondent out of matrimonial home. The cross examination is only to avoid payment of maintenance. There is no evidences to substantiate the same. Therefore the respondent cannot escape from clutches of law.

9. The RW.1 categorically admitted that he is receiving the pension amount is Rs.67,000/- per month. The RW.1 cross examination is closed due to the lapse committed by the witnesses by non appearing for cross examination. It is also noted that the respondent's final settlement in service is a sum of Rs.20,00,000/-. The RW.1 has sufficient means to maintain the first petitioner and second petitioner. There is no evidence to justify non payment of maintenance to the petitioners. The respondent is under moral and legal obligation to maintain petitioners.

10. The evidence of PW.1, Ex.P1 to Ex.P.6 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.



11. 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.

12. 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 petitioners are living in the house belong to the respondent. Therefore, this Court determines that the first petitioner is entitled to a sum of Rs.9,000/- per month and second petitioner is entitled to a sum of Rs.6,000/- 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.

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

14. Point No.5

This Court determines that the first petitioner entitled to a sum of Rs.9,000/- per month and second petitioner entitled to a sum of Rs.6,000/- 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.

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

Result

16. In the result, the first petitioner is entitled to a sum of Rs. 9,000/- (Nine thousand only) per month from the date of petition. The second petitioner is entitled to a sum of Rs. 6,000/- (Six thousand only) per month from the date of petition. The Respondent shall pay the said amount of Rs. 15,000/- on or before 5th day 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 29th day of June 2026.

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

Petitioner side Evidence:-

PW.1 – Thiruvalli @ Thiruselvi.


Petitioner side Documents:-

1.	07.04.2003	Wedding Invitation.	Ex.P1
2.	30.01.2017	Xerox copy of aadhar card of first petitioner.	Ex.P2
3.	23.05.2004	Xerox copy of birth certificate of Ragul.	Ex.P3
4.	12.12.2015	Xerox copy of Aadhar card of second petitioner	Ex.P4
5	22.06.2006	Xerox copy of birth certificate of second petitioner	Ex.P5
6	-	Marriage Photo.	Ex.P6

Respondent side evidence and document – Nil.

Dated at Tirupathur Taluk and District this the 29th day of June 2026.

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