

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE (FTC),
VELLORE, VELLORE DISTRICT.**

**PRESENT: Thiru.G.Radhakrishnan, B.Com., L.L.B.,
Additional District Judge (FTC) (FAC), Vellore.**

Friday, the 3rd day of January, 2025

I.A.No.2/2022 in H.M.C.M.A. No.19/2022

P.Sinduja,
W/o.Dr.B.Saravanakumar,
No.22/1, P.T.Yogalingam Street,
Arcot – 632 503, Vellore District. ... Petitioner/Appellant.

Versus

1. B.Saravanakumar,
S/o.B.T.Balan,
Emakkalnatham Village and Post, Bargur,
Krishnagiri Taluk, Krishnagiri District.
2. The Deputy Director of Heal Services,
Collectorate Back Side,
New RTO Office, Ramapuram,
Krishnagiri-635 115, Krishnagiri District.
3. Medical Officer,
Megalachinnapalli Primary Health Centre,
Krishnagiri, Krishnagiri District.

* As per the Amended Memo dated Order 19.10.2022.

... Respondents/Respondents

This petition came up before me for final hearing on 20.12.2024, in the presence of Tmt.P.Sinduja, Party-in-Person and Tvl.P.G.Thiyagu, C.Pritheevraj and K.Siva, Counsel for the Respondent and upon hearing the arguments of both sides, upon perusal of case records and having stood over for consideration till this date, this court delivers the following:-

ORDER

This petition has been filed by the petitioner U/s.151 C.P.C. seeking to enhance the maintenance as per the order of the Hon'ble High Court in C.R.P. No.104/2021 from the date of order in I.A. No.57/2024 in H.M.O.P. No.54/2013 dated 06.07.2016.

2. The averments of the affidavit are as follows:-

(i) The petitioner is the Appellant in the main case and she is well acquainted with the facts of the case. For the petitioner's marriage, the respondent and his parents demanded 200 sovereigns jewels, Rs.10 lakhs as dowry and Rs.10 lakhs for purchase of new car. But the petitioner's parents told that they can give 75 sovereigns of gold, 11 silver articles, Rs.5 lakhs as dowry and Rs.5 lakhs for purchase of new car for which the respondent and his parents also accepted and the respondent received the same in the presence of respondent's parents. Apart from offerings, the grand celebration Betrothal function with the respondent and his family members on 05.09.2010 at Baby Residency A/c.Hall in Vellore and the Marriage was solemnized on 12.12.2010 at Bargur. After marriage, the petitioner started her marital life with the respondent and his parents at Bargur. The respondent and his parents were not satisfied with the jewellery and cash offered at the time of marriage. The respondent's family did not invite the petitioner's parents for the Mangalsutra function and the same was great shock and surprise to her parents.

(ii) The respondent will not come to home weekly 2 or 3 days, if she questioned the same, he used to say, you should not ask any question and keep quiet. At the time of Pongal Seervarisai, the respondent and his family members picked up quarrel with her parents regarding about the purchase of Car. After offering the Pongal seervarisai, appellant parents returned to Arcot. The respondent left the petitioner in her parent's house at Arcot and demanded a sum of Rs.5 lakh for buying a new car. Before the marriage, the petitioner's parents booked the swift Dezire Car for which Rs.10,000/- deposited in the name of respondent, in few days, the car is going to be delivered but respondent and his parents told to give the cash amount of Rs.5 lakh and her father arranged Rs.5 lakhs in few days and after receiving the amount of Rs.5 lakhs, the respondent took the petitioner to marital home at Bargur. The respondent and his parents did not permit to send her to her parents house at Arcot to attend the 1st Pongal Festival, 1st Deepavali festival and 1st Ugadhi festival.

(iii) After marriage, a separate family was set up at Yelagiri Hills in Government quarters by the respondent and his parents. During the stay, the respondent coming home in a fully drunken stage. The petitioner's marriage life with the respondent was never happy as right from the beginning and she was subjected to lot of ill treatment and mental torture. The respondent's parents hide the fact that his right hand is not in proper function being hemiparalysed due to accident due to alcohol when he was studying 1st year

MBBS in Annamalai University affected by Neuro disabilities. The respondent cannot able to write in his right hand till now. The respondent is fully addicted at drinks and he is an alcoholic use to late drinks from continuously even during office hours and see the patient inebriated condition in the Government Primary Health Centre. The respondent has forcing and compelling the petitioner to purchase liquor for him from the Tasmac Shop at Yelagiri hills but she refused to do it.

(iv) The respondent never change his behaviour and he continued the same with ill treatment over her got aggravated and maintained animosity and grude towards her, while so the respondent made an attempt to kill her with full of alcohol in yelagiri Hills on 07.08.2011 at about 2'O clock midnight by tighten the gold chain worn around her neck, but fortunately gold chain was cut due to pressure of pulling it and thus she escaped from the killing attempt at the hands of the respondent. The said incident was taken to the knowledge of Joint Director of PHC, disciplinary action was taken against the respondent and directed to vacate the Government Hospital Quarters within a period of 24 hours thereby the respondent vacated the quarters. The petitioner's father took her in his custody and reached Arcot on 08.08.2011.

(v) During the period of stay in the respondent's residence for 40 days, she was ill treated and gave lot of mental cruelty and harassment. The respondent received her cell phone with SIM card and disconnected the landline and threatened her not to speak to her parents. Aggrieved over the

act of the respondent, petitioner preferred complaint to Superintendent of Police, Krishnagiri on 22.11.2011. The AWPS, Bargur investigated the case on 25.11.2011 instructed the respondent to set up a separate residence for leading a happy life but respondent and his family members failed to keep their words. Again she preferred complaint against the respondent to Chief Minister Cell, Health Minister, SP of Vellore District, AWPS - Ranipet, DPH - Director Chennai, District Social Welfare Department, Vellore. The AWPS, Ranipet enquired her complaint on 11.01.2012, the respondent made an statement before AWPS, Ranipet stating, "all the house hold articles, 75 sovereigns of gold jewels along with Rs.5 lakh for dowry and Rs.5 lakh for purchase of Car were given by his father-in-law, all the above were kept safely in Bargur" and he further stated that he gave a promise that hereafter he could live a happy life please give him only one chance to prove himself but he did not keep his promise.

(vi) While being so, the respondent filed a petition for Divorce in H.M.O.P. No.54/2013 before Principal Subordinate Judge, Vellore.

(vii) The respondent is working as a Government Block Medical Officer with service from 08.09.2010 for the past 11 years earning Rs.1,50,000/- as a month salary, but few very less amount only ordered by the trial court as per law 1/3rd of the salary to be given but the petition was partly allowed. The petitioner had filed I.A. No.8/2018 in H.M.O.P. No.54/2013 U/s.27 of Hindu Marriage Act to give direction to respondent to return the

gold jewels, house hold articles, cash Rs.10 lakhs for dowry and purchase of car and 11 Silver articles and the said petition is partly allowed on 05.06.2018.

(viii) The petitioner had filed the CRP (PD) No.2048 of 2018 and CMP No.12646 of 2018 in this court under Article 227 of the Constitution of India against the decreetal order dated 05.06.2018 made in I.A. No.8/2018 in H.M.O.P. No.54/2013. The Hon'ble High Court, in the order stated that,

"On perusal of records it reveal that the petitioner/wife has filed list of documents along with the application, but court has not considered the same while passing the order dated 05.06.2018. Hence this court is inclined to remand the matter back to the court below."

As per the direction of Hon'ble Court, 2nd order was passed by the Principal Subordinate Court, Vellore on 23.01.2019 in I.A.No.8/2018 in H.M.O.P. No.54/2013 the order states that in result this petition is partly allowed, in respect of house hold articles and 11 silver articles were concerned the respondent is directed to return 11 silver articles and house hold articles within one month from the date of this order.

(ix) A petition under Domestic Violence Act 2005 was presented by the petitioner to the Protection Officer, Vellore District, after due verification the same was forwarded to the District Munsif-cum-Judicial Magistrate Court, Arcot, Vellore District and numbered as STC No.417 of 2012, it was taken on

file U/s.18, 19(8), 20 of the Domestic Violence Act 2005 on 11.06.2012. The respondent instead of complying the order of this court, approached her residence on 20.07.2015 at 9.00 p.m. with full drunken stage dragged her from her house, beaten and scolded in all filthy language made an attempt to kill her by threatening for which complaint against the Respondent was filed in AWPS, Ranipet, FIR No.25/2015 has been registered against the respondent and the case is pending for trial. The respondent and her parents also obtained Anticipatory Bail from the High Court of Madras.

(x) The petitioner filed I.A.No.57 of 2014 in H.M.O.P. No.54/2013 U/s.24 of Hindu Marriage Act in this court and passed an order dated 06.07.2016 in which direction was given to the respondent to pay Rs.10,000/- as interim maintenance from the date of filing of this petition and Rs.10,000/- for litigation expenses to the petitioner. The respondent had filed the CRP No.3202/2016 and CMP No.16246 of 2016 against the order passed in I.A.No.57/2014 dated 06.07.2016 and the final order was passed by the Hon'ble High Court in CRP No.3202 of 2016 order dated 24.03.2017 as petition has been dismissed.

(xi) The respondent ultimate aim to cheat her jewels, money which has been given at the time of marriage. The petitioner was thrown with weared cloths midnight from the marital home, Bargur. The respondent wants to conduct the case without marking of document without conducting the cross examination as per high court direction by pressuring the appellant for

respondent side cross to safeguard the Dr.B.Saravanakumar who is working as a govt. medical officer, PHC, Megachinapalli, Krishnagiri District. By conclusion of the records this court can easily come to conclusion that respondent is having all the 75 sovereigns of gold jewels, Rs.5 lakhs dowry, Rs.5 lakh for purchase of car, 11 silver articles and all other house hold articles in Respondent custody in Bargur. The petitioner had already lost her valuable life because of the unruly conduct and character of the respondent and his family members and she was subjected to lot of mental stress and cruelty because of arrogant behavior of the respondent and his family members. The petitioner's father is now aged 72 years suffered with severe cardiac problem and her mother who is aged 68 years is a Neuro patient and she alone taking care of them. All the above said pain is unable to survive and her survival is only for the welfare of her parents.

(xii) The appellant was having the account in the State Bank of India, Arcot, Vellore District after the engagement Respondent A/c.No.11205876814 had withdrawn the cash Rs.5 lakh dowry by self on 08.09.2010 and it has been given to the respondent and respondent received Rs.5 lakh dowry same in front of the respondent's parents.

(xiii) The petitioner is ordinary middle class family who is selling Sarees in Government Office, School, College and till now living in the rented house and had lost precious life, job, jewels and money and everything now at present standing in the street to no way to go.

(xiv) The respondent is now working as Government Chief Medical Officer, Magalachinnapalli PHC, Krishnagiri earning above Rs.1,50,000/- from 08.09.2010 till today 12 years experience not even paying the interim maintenance of Rs.10,000/- properly each time and many times the cheque given by the respondent has been returned due to funds insufficient, signature clarification, etc. Hence the petitioner filed this petition and prays to enhance the maintenance amount to the petitioner.

3. The brief averments of the Counter filed by the Respondent are as follows:-

(i) The marriage solemnized between the petitioner and the respondent was fixed by the parents of both the family and he accept the date and place of marriage, but denies that dowry demanded by the respondent's parents. There is no amount received by the respondent for purchasing car from the petitioner or from her father. The account statement shown in the document only show the amount debited from the account of the petitioner and there is no document to show that the amount was given to the respondent.

(ii) This respondent never had taking alcohol at the time of accident. Moreover, the respondent recovered immediately from the accident and the petitioner doesn't show any evidence or document given by the treated doctor that the respondent was in a drunken condition. This respondent got the degree of M.B.B.S. from Annamalai University and he is a registered medical practitioner under the Medical Council of India. The pleading of the

petitioner is questioning the creditability of the Medical Council of India in providing the registration for the M.B.B.S. degree council. Moreover, it is a defamatory statement made by the petitioner against the Medical Council of India that there was no act of attacking or manhandling the petitioner in any form. All the allegation stated by the petitioner is to create a bad image about the respondent to spoil his reputation among the society. Ever since, before filing the H.M.O.P., the respondent acted as a dutiful husband to the petitioner and all the time the respondent wanted and tried to live with her at any cost. Further, there is no such incident occur in Primary Health Centre stated in the para-18. Moreover, the respondent never curtail the petitioner to speak with her mother. In contra, the petitioner had frequently visited her parents' home without any interruption of the respondent.

(iii) The respondent is in a profession of saving life of the needy people and he never indulged in any act of hurting the petitioner in any form, all the allegations stated in the Para-19 are false and concocted. Further, the respondent never asked for Rs.5,00,000/- as a transfer of post expense to the petitioner. The respondent is having a good code of conduct and showing more tender towards the patients were appreciated by the superiors of his office. The petitioner started to quarrel with the respondent to bring her to the parental home in the midnight. The respondent asked her that he will bring her in the next day morning itself. The same was not accepted and developed the quarrel by the petitioner and acted in a manner by lodging complaint

against the respondent before the AWPS, Bargur. The complaint was not enquired by the police which is frivolous one.

(iv) The complaint launched by the petitioner U/s.12, seeking Protection order U/s.18, seeking Residence order U/s.19(8), Mandatory relief U/s.20, direction to return of Stridhana Articles under the Protection of Women from Domestic Violence Act was taken on file by the District Munsif-cum-Judicial Magistrate as S.T.C. No.417/2012. The DV case was liable to be dismissed by stating that the petitioner has been unable to show that she had been subjected to DV by the respondent. Having failed to prove that she has been subjected to domestic violence by the respondent, she is not entitled for the relief's claimed by her and in the result, petition dismissed, which is suppressed by the petitioner. The petitioner filed a maintenance case before the District Munsif-cum-Judicial Magistrate, Arcot as M.C. No.15 of 2014 and the same was dismissed for non-prosecution from the petitioner/wife side. By suppressing the fact, the petitioner is creating a bad opinion about the respondent.

(v) A complaint was launched by the petitioner under 498(A), 506(i) before the AWPS, Ranipet as FIR No.25 of 2015 and the same was pending before the District Munsif-cum-Judicial Magistrate, Arcot as C.C. No.29 of 2016. The case is posted for appearance of LW1 to LW3, who are the petitioner and her parents from the year 2019 to till date. Moreover, the petitioner filed Crl.O.P. No.26025 of 2015 before the Hon'ble Madras High

Court to quash the proceeding. The Hon'ble Court opined that the investigation was finished and the report was filed before the court and it is numbered is true. But, the petitioner concocted a story that the petition filed by the respondent was withdrawn by him.

(vi) The respondent further stated that he paid Rs.10,000/- to the petitioner as interim maintenance from 06.07.2016 till the disposal of HMOP No.54 of 2013. Additionally, the respondent paid Rs.5,00,000/- to the petitioner as directed by the Hon'ble Madras High Court.

(vii) The respondent further stated that it is clear that the intention of the petitioner is to harass the respondent and cause mental agony by continuously filing petition over petition under various law. As Indian laws are enacted carefully to protect the rights of a women/married women in order to safe guard them from the dominant attitude of the society. Here the petitioner is using the same law to harass the respondent. Thus, the application itself ought to be dismissed on these grounds and should have sought for remedy elsewhere. The respondent humbly submitted that this Hon'ble Court must not entertain such vexatious petition and this petition is filed in order to harass and extract the respondent for grabbing money and it is a clear abuse of process of law. The respondent therefore prayed to dismiss the petition with exemplary costs.

4. There is no oral evidence on both sides. No documents marked on both sides.

5. Now the point for consideration in this petition is, **whether the petitioner is entitled for maintenance or an enhanced maintenance as prayed?**

6. Point:-

6.1 The petitioner is the wife of the respondent whose marriage was solemnized as per Hindu Rites on 12.12.2010. There are several allegations made against the respondent in the petition which were all discussed and decided in H.M.O.P. No.54/2013 and the same need not be discussed here. Since the affidavit filed in support of this petition runs to 31 pages and the same need not be extracted here as the allegations and matter in issue regarding matrimonial dispute has been decided by the learned Principal Subordinate Judge, Vellore while disposing H.M.O.P. No.54/2013. Since the matter for consideration here is with respect to enhancement of maintenance and so the relevant portion alone is considered herein.

6.2 It is observed from the materials that H.M.C.M.A. No.19/2022 has been filed by the petitioner herein to get return of articles belonging to her and also to return the amount spent for purchase of car and other house hold articles as dowry. It is also observed that H.M.O.P. No.54/2013 filed by the husband U/s.13(i)(ia) of Hindu Marriage Act for dissolution of marriage was dismissed by the learned Principal Subordinate Judge, Vellore by order dated 10.08.2022. Pending this H.M.C.M.A., the petitioner herein approached the Hon'ble High Court and filed C.R.P. No.1406/2024 as against the order passed

by this Court in I.A. No.1/2022 in H.M.C.M.A. No.19/2022, claiming huge compensation. The Hon'ble High Court while disposing the above said C.R.P. held that the H.M.C.M.A. No.19/2022 is maintainable as per Section 18 to 22 of Domestic Violence Act and Section 151 r/w Order VII Rule 7 of C.P.C. There is also a direction by the Hon'ble High Court to determine the compensation during the final disposal of the appeal. There is also another direction to this Court to take into consideration of unreturned gold ornaments of 30 sovereigns, a silver plate and Rs.10,00,000/- received by the respondent. There is also another direction to this Court to ensure that maintenance amounts that are due to the petitioner as per order in I.A. No.2/2022 are paid in full, in default to take coercive steps to recover the said amount of arrears of maintenance. The direction of Hon'ble High Court is extracted hereunder:

(i) HMCMA.No.19 of 2022 is maintainable as the wife is entitled to seek return of the articles belonging to her and seek for compensation in terms of Sections 18 to 22 of the Domestic Violence Act & Section 151 read with ORder VII Rule 7 of the Code of Civil Procedure.

(ii) CRP(PD).No.427 of 2019 dated 10.04.2019 having been disposed in favour of the civil revision petitioner/wife, there was no necessity for her to file an appeal before the Supreme Court.

(iii) The Court shall determine the compensation, if any, that the wife is entitled to at the time of final disposal of the appeal.

(iv) The learned appellate judge, at the time of final disposal, shall take into consideration that the husband has returned 44

sovereigns of gold, 10 silver items, excepting 30 sovereigns of gold, a silver plate and Rs.10,00,000/- that had been received by him from the civil revision petitioner.

(v) The learned Principal District Judge at Vellore, having granted the relief of interim maintenance pending disposal of HMCMA.No.19 of 2022 in any by way of an order in I.A.No.2 of 2022 dated 08.03.2023 and the attempts of the husband having failed in setting aside the said order in I.A.No.3 of 2022 dated 20.11.2023, the learned Additional District Judge, Vellore shall ensure that maintenance amounts that are due to the wife in terms of the order passed in I.A.No.1 of 2022 are paid in full.

(vi) In case of default, the court shall take coercive steps, including issuing orders of attachment of salary of the respondent, to ensure that the amounts due towards maintenance are paid to the petitioner/wife.

No costs.

6.3 The petitioner had claimed huge compensation in I.A. No.1/2022 after disposal of HMOP, but the said petition was dismissed by this Court on 20.02.2024. As against the said order C.R.P. No.1406/2024 was filed and the above directions were issued. When the H.M.C.M.A. No.19/202 was pending before the Hon'ble Principal District Judge, Vellore, an application in I.A. No.2/2022 was filed to enhance the interim maintenance amount as ordered in I.A. No.57/2014 in H.M.O.P. No.54/2013. It is observed from the materials that an order for interim alimony was passed, directing the respondent to pay a sum of Rs.10,000/- per month till disposal of H.M.O.P. The Principal

District Judge passed an order in I.A. No.2/2022 in H.M.C.M.A. No.19/2022, dated 08.03.2023, directing the respondent to pay a sum of Rs.25,000/- per month as monthly maintenance to the petitioner within 7th day of every calendar month from the date of the said petition, i.e. 08.09.2022 until further orders. Later on, an application in I.A. No.7/2024 was filed by the respondent to set aside the order passed in I.A. No.2/2022 and the same was allowed by an order dated 24.04.2024 after paying a sum of Rs.55,000/- towards arrears of maintenance. Now the order passed in I.A. No.2/2022 dated 08.03.2023 is not in force and as such the petitioner is seeking to award maintenance by enhancing the amount already ordered by the learned Principal Subordinate Judge as interim maintenance. The order in I.A. No.2/2022 was passed exparte and the same was set aside by the order of this Court in I.A. No.7/2024, dated 24.04.2024.

6.4 Admittedly, H.M.O.P. No.54/2013 filed by the respondent was dismissed by the learned Principal Subordinate Judge and till disposal of O.P. interim alimony in I.A. No.57/2014 was ordered. The petitioner appeared in person and advanced her oral arguments. The counsel for the respondent advanced his oral arguments in this application. It is contended by the petitioner that this H.M.C.M.A. is continuation of H.M.O.P. and so, the respondent is liable to pay maintenance as ordered in I.A. No.57/2014 in H.M.O.P. No.57/2013 and she is entitled to enhanced maintenance as ordered in I.A. No.2/2022.

6.5 Per contra, the contention of the learned counsel for the respondent is that the interim maintenance order passed in I.A. No.57/2014 came to an end on disposal of H.M.O.P. and there is no further direction either by the District Court or by the Hon'ble High Court to pay maintenance after disposal of H.M.O.P. He would further submit that as against the order passed in H.M.O.P. No.54/2013 an appeal has been filed before the Principal District Court, Vellore and the same is yet to be taken on file and the matter in controversy regarding the matrimonial dispute would be decided in the appeal. In reply to the same, the petitioner would state that there is no documents to show that the respondent filed appeal before the Principal District Court, Vellore and the same is still in S.R. stage and yet to be taken on file and that too with respect to the order passed in H.M.O.P. No.54/2013 not with respect to maintenance. She would also stated that as per the direction of Hon'ble High Court, the respondent had returned 44 sovereigns of gold and Rs.5,00,000/- and still the respondent has to return 30 sovereigns of gold and Rs.5,00,000/- which was paid for purchase of car, for the said prayer another memo is pending before this Court.

6.6 The claim of the petitioner has been refuted by the respondent by filing counter. As the H.M.O.P. No.54/2013 filed by the husband for divorce has been dismissed by the learned Principal Subordinate Judge and the said order is yet to be set aside and so the order prevails, the marriage tie between the petitioner and respondent is still subsisting. As per the verdict of Hon'ble

Supreme Court and Hon'ble High Courts, even divorced wife is entitled to get maintenance.

6.7 The respondent is a Medical Officer drawing a sum of Rs.84,918/- as per the Salary Certificate produced by the respondent for the month of January-2023. Now the petitioner had obtained Pay Slip for the month of April-2024 of the respondent and as per the Pay Slip, the petitioner is drawing gross salary of Rs.91,650/- per month and net salary of Rs.75,800/- per month. The Principal District Judge as per the order dated 08.03.2023 analyzed about granting of quantum of maintenance to the petitioner and enhanced the interim maintenance amount from Rs.10,000/- to Rs.25,000/-. The said order has been set aside. Now, the same issue has been reconsidered by this Court. The petitioner being wife not able to maintain herself, whereas the respondent is holding a Government job, drawing Rs.91,650/- as per Pay Slip for the month of April-2024, the respondent has to pay maintenance. Rs.10,000/- was ordered as interim alimony in the year 2016. Now due to the escalation of costs, high rise in prices of necessities and considering the cost of living, standard of living and status of parties, Rs.10,000/- ordered in I.A. No.57/2014 as interim alimony requires to be enhanced. The Hon'ble High Court in C.R.P. No.1406/2024 has directed to ensure maintenance amount that are due to the wife by order of this Court in I.A. No.2/2022, dated 08.03.2023. The reasons stated by the respondent to refuse maintenance are unsustainable and the arguments advanced by the counsel for the respondent does not have

much force. This appeal is continuation of the O.P. and so the petitioner is entitled to interim maintenance.

6.8 While considering the quantum of interim maintenance to be awarded to the petitioner, this Court is of the view to refer the Judgment of Hon'ble Supreme Court in *SLP(C) No.4109 of 2023 dated 19.11.2024* between *Dr.Rajiv Varghese -vs- Rose Chakkkrammankkil Francis*, confirmed the order of Family Court whereby a sum of Rs.1,75,000/- per month was awarded as pendente lite alimony to the wife, considering the financial position of the husband and also the position of the wife. As far as the case in hand is concerned, the take home salary of the respondent is Rs.75,800/- as per Salary Slip for the month of April-2024. Although it is stated by the counsel for the respondent that, the respondent has to look after his aged parents, this Court considers the same also, while awarding interim alimony and the respondent is equally responsible to pay maintenance to his wife. The respondent also relied upon references of some Judgments of Hon'ble Supreme Court with respect to harassment of wife by filing litigations, but the same are not applicable for this case at present. Hence, this Court is of the view to award enhanced interim alimony to the petitioner. Accordingly, this point is answered in favour of the petitioner.

6.9 Hence, this Court is of the view to award maintenance of Rs.25,000/- from the date of filing the application in I.A. No.2/2022, i.e. 08.09.2022 and same shall be paid to the petitioner by the respondent on or

before the 7th day of every English Calendar month by way of Bank Transfer/ NEFT/RTGS directly to the account of the petitioner and the respondent shall also pay the arrears of maintenance from 08.09.2022 till this date within 6 months by dividing the arrears into 6 equal installments after deducting Rs.55,000/- already been paid by the respondent while setting aside the exparte order passed in I.A. No.2/2022, failing which the salary of the respondent shall be attached by treating this order as decree for maintenance subject to Section 60 of CPC as provided under Order XXI Rule 46 of C.P.C. or under any other law, under any other modes for recovery of maintenance, on the default on the part of the respondent. The petitioner is at liberty to invoke Sec.25 of Hindu Marriage Act for the relief of permanent alimony. Accordingly, this petition is allowed.

In fine, this petition is allowed, thereby directing the respondent to pay a sum of Rs.25,000/- per month as interim alimony from the date of this petition ie.08.09.2022, till disposal of this appeal to the petitioner on or before 7th day of every English calendar month by way of Bank Transfer/NEFT/RTGS directly to the account of the petitioner and the respondent shall also pay the arrears of maintenance from 08.09.2022 till this date within 6 months by dividing the arrears amount into 6 equal installments deducting the amount of Rs.55,000/- already paid by the respondent, failing which the salary of the respondent shall be attached and the petitioner is entitled to recover

the same under any other law, under any other lawful modes for execution of this order. No order for costs.

Dictated to the Steno-Typist, transcribed by him, corrected and pronounced by me in the Open Court, on this the 3rd day of January, 2025.

**Sd/- G.Radhakrishnan,
Additional District Judge (FTC) (FAC),
Vellore.**

Both side Witnesses and Exhibits:-

- NIL -

**Sd/- G.Radhakrishnan,
Additional District Judge (FTC) (FAC),
Vellore.**