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C.R.P. No. 1283 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2026

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 1283 of 2026

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C.M.P. No. 6241 of 2026

M. Hemalatha

..Petitioner

Vs.

Ganeshkumar

..Respondent

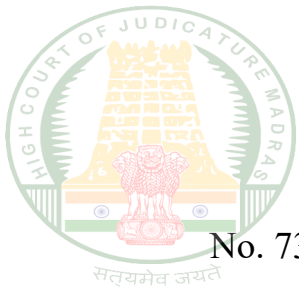
Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 07.10.2025 passed in I.A. No. 1 of 2024 in H.M.O.P. No. 73 of 2024 by the learned Sub Judge, Hosur.

For Petitioner :: Mr.Siddarth Sridhar

For Respondent :: Mr.C. Kavın Kumar

O R D E R

This civil revision petition has been filed challenging the impugned order dated 07.10.2025 passed in I.A. NO. 1 of 2024 in H.M.O.P.



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No. 73 of 2024 by the learned Sub Judge, Hosur.

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2. By the aforesaid order, the application filed by the petitioner, who is the wife, seeking for interim maintenance from the respondent, who is her husband, under Section 24 of Hindu Marriage Act has been dismissed by the Trial Court on the ground that since the petitioner is a Siddha Doctor having her own source of income, she is not entitled for interim maintenance. The said H.M.O.P. was filed by the respondent seeking dissolution of marriage with the petitioner on the ground of cruelty.

3. Learned counsel for the petitioner would submit that the petitioner is willing to produce documentary evidence in the form of Assets Declaration Statement to prove that the petitioner is not having sufficient income to maintain herself.

4. Learned counsel for the respondent would once again reiterate the contentions of the respondent by stating that the petitioner, being a Siddha Doctor, is having her own source of income. Therefore, he would submit that the Trial Court had rightly rejected the petitioner's application by the impugned order.



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5. As seen from the impugned order, no documentary evidence was placed by either side to prove that the petitioner is having her own source of income as a Siddha practitioner to sustain herself.

6. Learned counsel for the petitioner, during the course of his submissions, stated that the petitioner, though a Siddha Doctor, does not have sufficient income to maintain herself.

7. Since both the parties have not placed any material before the Trial Court either to prove or disprove the contention of the petitioner, this Court, in the interest of justice, deems it fit to set aside the impugned order and remit the matter back to the Trial Court for fresh consideration on merits and in accordance with law by permitting the respective parties to produce documentary evidence in support of their respective contentions. Being a matrimonial dispute and being a claim for interim maintenance, necessarily, one more opportunity will have to be granted to the petitioner to seek interim maintenance amount from the respondent/husband by placing documentary evidence on record in support of her contention that she does not have her own source of income sufficient enough to maintain her livelihood.



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ABDUL QUDDHOSE,J.

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8. For the foregoing reasons, without expressing any opinion on the merits of the respective contentions of the parties before this Court, in the interest of justice, the impugned order dated 07.10.2025 passed in I.A. No.1 of 2024 in H.M.O.P. No. 73 of 2024 on the file of Sub Court, Hosur is hereby set aside by this Court and the matter is remitted back to the Trial Court for fresh consideration of I.A. No. 1 of 2024 in H.M.O.P. No. 73 of 2024 on merits and in accordance with law after affording an opportunity to the respective parties to produce documentary evidence in support of their respective contentions. The Trial Court is directed to dispose of I.A. No. 1 of 2024 within a period of 3 months from the date of receipt of a copy of order.

9. The civil revision petition is disposed of accordingly.
No costs. Connected C.M.P. is closed.

03.08.2026

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To

The Sub Court, Hosur.

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