

C.R.P.(MD)No.3648 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.3648 of 2025

and

C.M.P.(MD)No.19319 of 2025

Karuppaiah

... Petitioner

-vs.-

Kanaga

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order, dated 26.09.2025 made in I.A.No.1 of 2024 in H.M.O.P.No.20 of 2024 on the file of the Subordinate Court, Aranthangi.

For Petitioner :Mr.M.Jayakumar

For Respondent :Mr.R.Balakrishnan

ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned Subordinate Judge, Aranthangi in I.A.No.1 of 2024 in



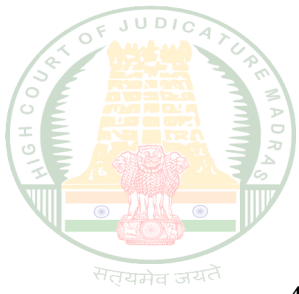
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H.M.O.P.No.20 of 2024, dated 26.09.2025.

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2.Heard Mr.M.Jayakumar, learned Counsel for the Revision Petitioner and Mr.R.Balakrishnan, learned Counsel for the respondent.

3.The petitioner is the husband and the respondent is the wife and their marriage was solemnized on 06.06.2011 as per Hindu Rites and Customs and out of their wedlock, they blessed with a male child aged about 12 years and a female child aged about 9 years. Due to difference of opinion, both of them are living separately and the petitioner herein has filed a petition for divorce. During the said proceedings, the respondent has filed an application seeking interim maintenance of Rs.60,000/- per month. The learned Subordinate Judge, Aranthangi vide impugned order in I.A.No.1 of 2024 in H.M.O.P.No.20 of 2024, dated 26.09.2025, has directed the petitioner to pay the interim maintenance amount of Rs.30,000/- per month from the date of filing of the petition. Challenging the same, the present Civil Revision Petition has been filed.

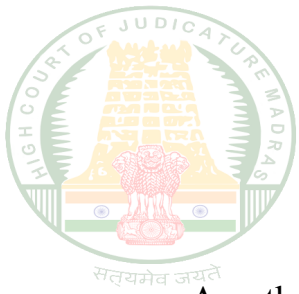


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4.Mr.M.Jayakumar, learned Counsel for the petitioner submitted that the trial Court has fixed the quantum of Rs.30,000/- without assessing the liability, which has been foisted on the petitioner. He submitted that the petitioner is working as a Technician in BHEL, Trichy and drawing a net salary of Rs.1,02,474/-, whereas, correspondingly, deductions are made under various heads and his net salary is Rs.15,521/-. The learned Counsel for the petitioner submitted that the respondent is an MBA graduate and is running a xerox shop and earning a sum of Rs.20,000/- per month. Further, the petitioner has to maintain his age old parents and he also take care of his children towards their educational expenses. However, without even considering the fact the petitioner has only drawing a sum of Rs.15,521/-, the trail Court has wrongly come to the conclusion to award a sum of Rs.30,000/- per month, which is *per se* illegal and needs interference of this Court.

5.The learned Counsel for the respondent strongly refuted the contentions of the learned Counsel for the petitioner and submitted that respondent is not running the xerox shop, but she is employed in the shop to maintain her family. He pointed out that the respondent's place of living is



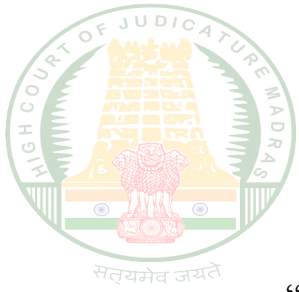
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Aranthangi, which is a very small town, where she is employed in a xerox shop and drawing very meagre amount as salary and by considering the entire facts and circumstances of the case, the Court below has rightly passed the impugned order, which does not warrant interference of this Court.

6.This Court considered the submissions made on either side and perused the materials available on record.

7.A the perusal of the records would reveal that the petitioner is working as a Technician in BHEL, Trichy and his gross salary is Rs.1,02,474/- and after making deductions, he is receiving a sum of Rs.15,521/-. The respondent is an MBA graduate and is working in a stationery shop and getting some amount as salary. However, without considering the deductions made in the salary of the petitioner, the trial Court has erroneously awarded a sum of Rs.30,000/-, per month, which is in the considered opinion of this Court is erroneous and hence, this Court is inclined to modify the order passed by the Court below as follows:



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“The petitioner is directed to pay a sum of Rs.7,500/- per month to the respondent and Rs.7,500/- to the children and in *toto*, the petitioner is directed to pay a sum of Rs.15,000/- per month towards monthly maintenance.”

8. Accordingly, the Civil Revision Petition is partly allowed and the order passed by the learned Subordinate Judge, Aranthangi in I.A.No.1 of 2024 in H.M.O.P.No.20 of 2024, dated 26.09.2025, is modified to the extent as stated above and the remaining directions are hold good. No costs. Consequently, connected miscellaneous petition is closed.

17.02.2026

Internet :Yes/No
NCC :Yes/No
Index :Yes/No

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To

The Subordinate Judge, Aranthangi.



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N.SENTHILKUMAR, J.

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