

C.R.P.(PD)(MD)Nos.19 and 94 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.07.2026

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

C.R.P.(PD)(MD)Nos.19 and 94 of 2026
and C.M.P.(MD)No.442 of 2026

A.Abubakkarsithik

Represented through his power agent

M.Sheik Davoodu.

... Petitioner in

C.R.P.(MD)No.19/2026 &

... Respondent in

C.R.P.(MD)No.94/2026

Vs

A.Abibu Nisha

... Respondent in

C.R.P.(MD)No.19/2026 &

... Petitioner in

C.R.P.(MD)No.94/2026

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, praying to call for the records of the order passed in I.A.No.7 of 2025 in O.S.No.10 of 2023, on the file of Family Court, Sivagangai, dated 19.11.2025 and to set aside the same and allow these Civil Revision Petitions.

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C.R.P.(PD)(MD)Nos.19 and 94 of 2026

For Petitioner in
C.R.P.(MD)No.19/2026 &
For Respondent in
C.R.P.(MD)No.94/2026 : Mr.A.Haja Mohideen

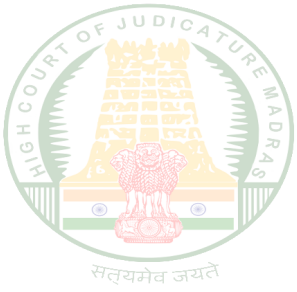
For Respondent
C.R.P.(MD)No.19/2026 &
For Petitioner in
C.R.P.(MD)No.94/2026 : Ms.K.Swathini

COMMON ORDER

C.R.P.(MD)No.19 of 2026 has been filed by the husband aggrieved by the order of interim maintenance passed by the trial Court. C.R.P.(MD)No.94 of 2026 has been filed by the wife seeking enhancement of the quantum of maintenance fixed by the family Court.

2. For the sake of convenience, the parties are referred to as 'husband' and 'wife'.

3. It is not in dispute that the husband filed a suit in O.S.No. 10 of 2023 seeking declaration that the marriage between him with the wife has been dissolved by triple Talaqs. Pending the suit, the instant application has been filed by the wife seeking interim maintenance at the rate of Rs.1 lakh per month.



C.R.P.(PD)(MD)Nos.19 and 94 of 2026

4. Based on the evidence let in by the parties, the family

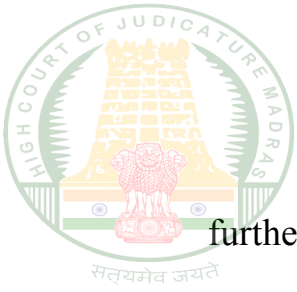
Court Sivagangai fixed the quantum of interim maintenance payable by the husband to the wife at the rate of Rs.50,000/- per month. Aggrieved by the said order, the husband as well as the wife filed these Civil Revision Petitions.

5. The learned counsel appearing for the petitioner in C.R.P.

(MD)No.19 of 2026/husband would submit that the husband is only an MCA graduate and the prospects for the Software Engineer are very bleak nowadays. Therefore, taking into consideration the uncertainty in the income of Software Engineers, the quantum of maintenance fixed by the Family Court shall be reduced. The learned counsel further submitted that the husband has to take care of his mother and the expenses incurred by the respondent for various activities in the United States are very high compared to India.

6. The learned counsel appearing for the petitioner in C.R.P.

(MD)No.94 of 2026/ wife would submit that the husband is employed in United States and he is getting a handful of salary and the amount of Rs.1 lakh claimed is very much on the lower side. The learned counsel



C.R.P.(PD)(MD)Nos.19 and 94 of 2026

further submitted that the Family Court fixed the quantum of interim maintenance without taking into consideration the financial position of the husband and therefore, the quantum of interim maintenance needs to be enhanced.

7. It is seen from the affidavit of assets and liabilities filed by the husband before the family Court, his monthly income was stated as Rs.2 lakhs. He admitted that he was an Engineer working in software company. The pay slip issued to the husband by his employer is produced in the additional typed set of papers filed by the husband. A perusal of the same would indicate that the half monthly salary of the respondent would be 2,348 US Dollars. Therefore, the husband gets nearly 4,700 US dollars per month. If the same is converted into rupees, he could get nearly Rs.4,53,000/- per month. In the case on hand, the husband is residing in the United States and the wife and her children are residing in India. Therefore, the disparity in the expenditure between the two Countries shall also be taken into consideration.

8. The wife in the affidavit filed in support of the petition seeking interim maintenance claimed that her monthly expenses would

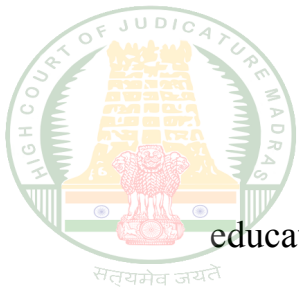


C.R.P.(PD)(MD)Nos.19 and 94 of 2026

be approximately Rs.65,000/-. She had also stated that her son is studying in 12th Standard and daughter is studying in 9th Standard and she spends about Rs.1,06,000/- towards tuition fees.

9. Taking into consideration the averments made by the wife in the affidavit filed in support of the petition seeking interim maintenance and also the income of the husband, this Court feels that a sum of Rs.60,000/- would be appropriate for interim maintenance. Therefore, the quantum of maintenance fixed by the Family Court is enhanced to Rs.60,000/- per month.

10. It is seen from the affidavit filed by the wife that her son was studying in 12th Standard when the petition for interim maintenance was filed. Therefore, he must be entering his college education by this year. The wife claimed a sum of Rs.1,06,000/- per month towards educational expenses of the children. However, the expenses due to admission in college should also be taken into consideration while fixing the educational expenses to be incurred by the wife. The Family Court has not given any direction to the husband to pay the educational expenses of their child. Therefore, this Court is inclined to direct the husband to pay a sum of Rs.1,06,000/- to the wife towards the



C.R.P.(PD)(MD)Nos.19 and 94 of 2026

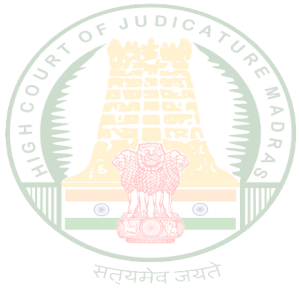
educational expenses of the two children. The said sum shall be paid starting from the year 2026. As far as the current year 2026 is concerned, the husband shall pay the educational expenses on or before 31.08.2026. In case, the actual expenditure incurred by the wife towards education of two children is more than Rs.1,06,000/-, it is open to the wife to produce the copy of the payment receipt to the husband and claim the balance amount. The monthly maintenance of Rs.60,000/- shall be paid by the husband on or before 10th of every month. The arrears of maintenance from the date of petition till date shall be paid on or before 31st August 2026. Any amount already paid by the petitioner from the date of petition till the date shall be adjusted towards the amount payable by him under this order.

11. Accordingly, C.R.P.(MD)No.19 of 26 stands dismissed and C.R.P.(MD)No.94 of 2026 stands partly allowed by enhancing the interim maintenance to Rs.60,000/- per month and educational expenses to Rs.1,06,000/- per month. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.07.2026

NCC : Yes / No
Index : Yes / No
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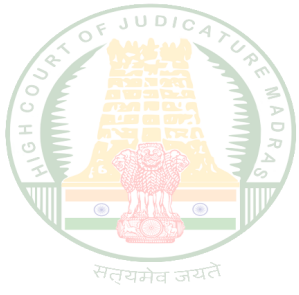
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C.R.P.(PD)(MD)Nos.19 and 94 of 2026

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- To
1. The Family Court, Sivagangai.
 2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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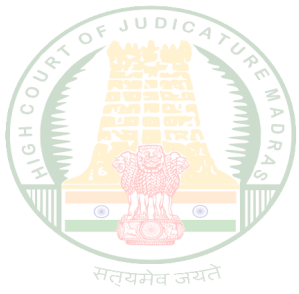
C.R.P.(PD)(MD)Nos.19 and 94 of 2026

S.SOUNTHAR, J.

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C.R.P.(PD)(MD)Nos.19 and 94 of 2026

10.07.2026



C.R.P.(PD)(MD)Nos.19 and 94 of 2026

C.R.P.(PD)(MD)No.19 and 94 of 2026

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S.SOUNTHAR, J

The matter is listed at the instance of the learned counsel appearing for the petitioner “for being mentioned”.

2.It is submitted that, by order dated 10.07.2026, this Court partly allowed C.R.P(MD)No.94 of 2026 by enhancing the interim maintenance to Rs.60,000/- per month and the educational expenses to Rs.1,06,000/- per academic year. However, in paragraph No.11 of the order, the educational expenses have inadvertently been mentioned as Rs.1,06,000/- per month instead of Rs.1,06,000/- per academic year.

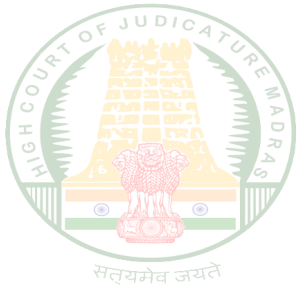
3.Therefore, the Registry is directed to substitute the words "per academic year" for the words "per month" in line 4 of paragraph No.11 of the order.

4.The Registry is further directed to issue a fresh order copy incorporating the above correction.

30.07.2026

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C.R.P.(PD)(MD)Nos.19 and 94 of 2026

S.SOUNTHAR, J.

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C.R.P.(PD)(MD)No.19 and 94 of 2026

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