

B.Saravanakumar vs P.Sinduja

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Court : Chennai

Decided On : Feb-09-2026

Judge : Honourable Mr Justice P. Velmurugan, Honourable Mr. Justice M. Jothiraman

Appeal No. : CRP/836/2025

Appellant : B.Saravanakumar

Respondent : P.Sinduja

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN AND THE
HONOURABLE MR.JUSTICE M.JOTHIRAMAN B.Saravanakumar
Petitioner

Versus

1. P.Sinduja

2. The Deputy Director of Health Services Collectorate Back Side New RTO Office, Ramapuram, Krishnagiri District.

3. Medical Officer

Megalachinnapalli Primary Health Centre Krishnagiri, Krishnagiri District.
... Respondents Civil Revision Petition filed Article 227 of Constitution of India, praying, to set aside the fair and decretal order dated 03.01.2025 passed in I.A.No.2 of 2022 in H.M.C.M.A.No.19 of 2022 by the learned Additional District Judge (FTC) at Vellore and allow the Civil Revision Petition. For Petitioner : Mr.C.Pritheevraj For Respondents : Mrs.P.Sinduja party-in-person / first respondent Mr.P.Gurunathan Additional Government Pleader for R2 and R3

ORDER

(Order of the Court was made by P.VELMURUGAN, J.) Challenging the order dated 03.01.2025 passed in I.A.No.2 of 2022 in H.M.C.M.A.No.19 of 2022 by the learned Additional District Judge (Fast Track Court), Vellore, whereby, the interim maintenance was enhanced to Rs.25,000/- per month, the petitioner/husband has filed the above Civil Revision Petition.

2. The first respondent/wife filed H.M.C.M.A.No.19 of 2022 seeking

a direction to the petitioner/husband to return the articles belonging to her and to refund the amount allegedly spent towards the purchase of a car and other household articles as dowry. Pending the said appeal, the wife filed an interlocutory application in I.A.No.2 of 2022 seeking enhancement of interim maintenance, pursuant to the earlier order passed in I.A.No.57 of

2014 in H.M.O.P.No.54 of 2013. The learned Additional District Judge (Fast Track Court), Vellore, by order dated 03.01.2025, allowed the said application and directed the husband to pay a sum of Rs.25,000/- per

month as interim maintenance from the date of the petition i.e., 08.09.2022, till disposal of the appeal, on or before 7th day of every English Calendar Month. The husband was further directed to pay the arrears of maintenance from 08.09.2022 till the date of disposal of the interlocutory application within a period of six months, by dividing the arrears into six equal installments, after deducting the sum of Rs.55,000/- already paid. It was also ordered that, in default, the salary of the husband shall be attached and the wife would be at liberty to recover the same by any other lawful mode of execution. Aggrieved by the said order, the husband has filed the present petition.

3. It is the case of the petitioner/husband that the first respondent/wife

is well qualified, employed and earning sufficient independent income and therefore, she is not entitled to claim maintenance under Section 24 of the Hindu Marriage Act, 1955. It was further contended that the first respondent/wife is not legally entitled to seek interim maintenance with effect from 08.09.2022, inasmuch as the main petition for divorce in

H.M.O.P.No.54 of 2013 had already been dismissed and consequently, no interlocutory application seeking interim relief would survive thereafter. Hence, the enhancement of maintenance to Rs.25,000/- per month is neither maintainable nor sustainable in law. It is also contended that the petitioner had already handed over 44 sovereigns of gold jewelry, 10 silver articles and other household articles to the first respondent/wife, which has been recorded in clause (iv) of paragraph 37 of the order dated 04.10.2024 in C.R.P.No.1406 of 2024.

4. The first respondent/wife, appearing as party-in-person, submitted

that she has no independent source of income and that she has also lost her employment. It was further contended that the petitioner/husband is working as a Government Medical Officer and is earning a substantial

income. The salary slip as on 31.12.2025 shows that the gross monthly income of the petitioner is Rs.99,333/-. Despite the same, the interim maintenance awarded by the Court below is very meagre and not commensurate with the income and status of the petitioner.

5. It is seen that the wife had earlier filed an interlocutory application

in I.A.No.1 of 2022 in H.M.C.M.A.No.19 of 2022, seeking a direction to award compensation on the ground that the husband had filed a false petition for divorce. The said application came to be dismissed on the ground that the relief sought therein was not maintainable, as the claim for compensation did not form part of the reliefs sought in the main appeal in H.M.C.M.A.No.19 of 2022. The Court below observed that such a substantive relief could not be introduced by way of an interlocutory application when it was not part of the original proceedings. It is further seen that the wife had not preferred any appeal as against the order dated 10.04.2019 passed by this Court in C.R.P. (PD).No.427 of 2019, but instead filed the present H.M.C.M.A.No.19 of 2022.

6. Challenging the order dated 20.02.204 passed in I.A.No.1 of 2022

in H.M.C.M.A.No.19 of 202, the wife preferred a civil revision petition in C.R.P.No.1406 of 2024. This Court, by order dated 04.10.2024, disposed of the said revision, holding that the appeal filed by the wife in H.M.C.M.A.No.19 of 2022 is maintainable as per Sections 18 to 22 of the Protection of Women from Domestic Violence Act, 2005 and Section 151 read with Order VII Rule 7 of the Code of Civil Procedure. This Court

further directed the appellate Court to determine the issue relating to compensation at the time of final disposal of the appeal. It was also observed that the learned appellate judge, shall take into consideration the fact that the husband has returned 44 sovereigns of gold and 10 silver items, except 30 sovereigns of gold, one silver plate and

Rs.10,00,000/- stated to have been received by the husband from the wife. This Court further directed that the maintenance amount payable to the wife as per order passed in I.A.No.2 of 2022 shall be paid in full, failing which coercive steps shall be taken for recovery of the said arrears of maintenance.

7. It is seen that pending present revision, the first respondent/wife

filed a Contempt Petition in Cont.P.No.405 of 2025 alleging willful disobedience of the order dated 03.01.2025 passed in I.A.No.2 of 2022 in H.M.C.M.A.No.19 of 2022. The said Contempt Petition came to be closed today (09.02.2026) by a separate order, recording that the petitioner/husband has paid the entire arrears due as on date and he has also undertaken to pay the interim maintenance until the disposal of the appeal.

8. The primary contention raised by the petitioner/husband is that the

first respondent/wife, being well-qualified and gainfully employed with a sufficient independent income, is disentitled to claim maintenance under Section 24 of the Hindu Marriage Act, 1955. Per contra, the respondent-wife asserts that she lacks any independent source of income and is unable to maintain herself. The issue of the wife's entitlement to maintenance involves disputed questions of fact regarding her income, which shall be more appropriately determined at the time of final disposal of the appeal, rather than at this preliminary stage.

9. Considering the facts and circumstances of the case and also

considering the submissions made on either side, this Court is of the view that H.M.C.M.A.No.19 of 2022 is a continuation of the proceedings in H.M.O.P.No.54 of 2013 and the same has been pending from the year 2022 before the learned Additional District Judge (Fast Track Court), Vellore. Since the issues relating to maintenance, compensation, and

return of articles arise out of the same matrimonial dispute, it would be appropriate that the question of maintenance to be considered along with the main appeal at the time of final disposal.

10. In view of the foregoing observations and considering the fact that

the petitioner/husband has complied with the directions in I.A.No.2 of 2022 and had paid the entire arrears and has also undertaken to continue to pay the interim maintenance till the disposal of H.M.C.M.A.No.19 of 2022, this Court is of the view that interference with the grant of interim maintenance is not warranted at this stage. However, since the appeal in H.M.C.M.A.No.19 of 2022 has been pending from the year 2022, the matter is remitted to the learned Additional District Judge (Fast Track Court), Vellore, for disposal of the appeal on merits and in accordance with law, after affording an opportunity to both parties, as expeditiously as possible. It is made clear that all issues, including entitlement and quantum of maintenance, compensation and return of articles, are left open to be decided by the appellate Court.

11. With the above observations and directions, this Civil Revision Petition is disposed of. No costs. [P.V.,J.] [M.J.R.,J.] 09.02.2026 Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No ms To

1. The Additional District Judge, (Fast Track Court), Vellore.
2. The Deputy Director of Health Services Collectorate Back Side New RTO Office, Ramapuram, Krishnagiri District.
3. The Medical Officer Megalachinnapalli Primary Health Centre Krishnagiri, Krishnagiri District.
4. The Public Prosecutor, High Court, Madras. P.VELMURUGAN, J., AND M.JOTHIRAMAN, J., ms 09.02.2026 (2/2)

