

## Joshi Thadathil Vs Jisha Joshi

**Court:** High Court Of Kerala

**Date of Decision:** Feb. 4, 2025

**Hon'ble Judges:** Dr. Kauser Edappagath, J

**Bench:** Single Bench

**Advocate:** C.P.Peethambaran, Karthika Peethambaran, Neeraja Venugopal, Arjun J Das

**Final Decision:** Dismissed

### Judgement

Dr. Kauser Edappagath, J

1. Ext.P6 order of interim maintenance passed by the Family Court, Kannur is under challenge in this original petition.

2. The petitioner is the husband of the respondent. The respondent filed a maintenance case against the petitioner before the Family Court, Kannur as

MC No. 535/2022. The respondent has also filed an application for interim maintenance as CMP No. 2/2024. The Family Court, after hearing both

sides, directed the petitioner to pay `5,000/- per month to the respondent as interim maintenance. The said order is under challenge in this original

petition.

3. I have heard the learned counsel for the petitioner.

4. The learned counsel for the petitioner submitted that the impugned order was passed without giving an opportunity to the petitioner to file counter.

The learned counsel further submitted that the respondent has landed properties and income from it and she is able to maintain herself. The learned

counsel also submitted that the petitioner has no job or income.

5. The marriage is not in dispute. The petitioner being the husband of the respondent is legally and morally liable to maintain the respondent. The

petitioner has produced certain documents before this court to show that the respondent also has landed properties. However, there is nothing on

record to show that the respondent gets any income out of it. The petitioner does not have a case that he has any physical disability to do work to

support his family. Though opportunity was granted to the petitioner to file counter statement, he did not avail the said opportunity.

Considering the entire facts and circumstances of the case and the materials on record, I see no reason to interfere with the impugned order.

Accordingly the original petition is dismissed.