

(1912) 07 MAD CK 0022
In the Madras High Court

Chirukala Nagalakshamma

APPELLANT

Vs

Visvanadha Sastri and Others

RESPONDENT

Date of Decision : 17-07-1912

Acts Referred:

Citation : (1912) 23 MLJ 289

Judgement

1. Various circumstances are set out by the District Judge in para 23 of his judgment. We have considered those circumstances in the light of the

decisions of this Court in *Ilata Shavitri v. Ilata Narayanan Nambudri* (1893) 1 M.H.C.R. 373 and *Kandasami Pillai v. Murugammal* ILR (1891)

M. 6 and we are of opinion that these decisions are directly in point. In *Kandasami Pillai v. Murugammal* 16 C.W.N. 35 the learned Judge

considers that an unchaste wife must show that she is a reformed character before she can be entitled to maintenance and the Court held in *Ilata*

Shavitri v. Ilata Narayana Nambudri ILR (1902) C. 218 that a Hindu wife living apart from her husband who has been guilty of adultery cannot

recover maintenance unless the adultery is condoned. In this case it is not suggested that the adultery was condoned nor has the wife shown that

she is a reformed character. She is therefore not entitled to any maintenance on the authority of these cases.

2. We dismiss the Second Appeal with costs of 1st defendant.