



WEB COPY

A.S.No.746 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

A.S.No.746 of 2026

&

C.M.P.No.20217 of 2026

Abarna @ Eswari

..Appellant

Vs.

Pradeep Kumar

..Respondent

Appeal filed under Section 19 of Family Court Act read with Section 96 of the Code of Civil Procedure, 1908 against the judgment and decree of the Family Court, Puducherry dated 30.06.2026 in O.S.No.32 of 2025.

For Appellant(s): Ms.V.Kamala Kumar

For Respondent(s): Mr.C.Manohar

JUDGMENT

(Judgment of the Court was delivered by N.Sathish Kumar J.)

A challenge has been made to the order passed by the Family Court at Puducherry granting visitation rights to the father to meet and spend time with his minor daughter every Sunday from 09.00 a.m. to 12.00 Noon at Providence Mall, Puducherry. The trial Court has also observed that the appellant/wife



shall not intervene with the visitation and shall observe the visitation from a reasonable distance enabling the child to have comfort with the respondent/father.

2. Heard the learned counsel for the appellant and the learned counsel for the respondent.

3. The learned counsel for the appellant mainly would contend that visitation rights shall not be granted to the father or at least seeks modification of that portion of the order, which directs the respondent/wife to keep reasonable distance, as that would cause emotional confusion and psychological disturbance to the child.

4. We have perused the entire materials.

5. On perusal of the impugned judgment, we find that visitation rights is given to the father only from 09.00 am to 12 Noon on every Sunday and the mother is allowed to observe from a reasonable distance to enable the child to have comfort with her father. Therefore, we are of the view that such an observation of the trial Court is not tantamount to putting fetters on the mother. The trial Court in fact has directed the mother to keep reasonable distance so that the father would be able to interact with the child without any reservation. The said direction, in our view, will not take away of the rights of the appellant.

6. We are of the view that in matrimonial matters, the personal allegations made against each other cannot be utilized for depriving the parental care of the spouses to the young child. In fact, the child should have the company of both



the parents, then only, the child will have a good atmosphere to get grown. If the child is grown in a situation where the parents are in strained relationship and the child is without the company of either of the spouses, it will lead to serious consequences deterring the growth of the child. No wonder if the same leads to serious psychological issues in the child. We have seen many children struggling with many issues, particularly due to matrimonial disputes between the spouses. In such view of the matter, the trial Court granting visitation rights, that too, only between 09.00 am and 12 Noon on every Sunday in the presence of the mother does not require any modification. Hence, this appeal is liable to be dismissed.

Accordingly, this appeal is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

gpa

(N.S.K.,J.) (M.J.R.,J.)
07.08.2026



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A.S.No.746 of 2



**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

gpa

To

1. The Family Court
Puducherry
2. The Section Officer
VR Section
Madras High Court

A.S.No.746 of 2026

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