



C.M.A.(MD)Nos.197 and 273 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.08.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE M.D.SUMATHI**

**C.M.A.(MD)Nos.197 and 273 of 2022
and
C.M.P.(MD)Nos.1765 and 2562 of 2022
and
C.M.P.(MD)No.9687 of 2023**

C.M.A.(MD)No.197 of 2022:-

Saranya

... Appellant

Vs.

B.Karthick,
Represented by His Power of Attorney,
Agent Vasanthi.

... Respondent

Prayer : Civil Miscellaneous Appeal is filed under Section 47 of the Guardians and Wards Act, 1890, to set aside the fair and decreetal order dated 12.01.2022 passed in G.W.O.P.No.182 of 2019 on the file of the Family Court, Tiruchirappalli.

For Appellant : Mr.AN.Ramanathan,
For Mr.K.Sivabalan.

For Respondent : Mr.S.Sankar



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C.M.A.(MD)No.197 of 2022:-

Karthick

... Appellant

Vs.

Saranya

... Respondent

Prayer : Civil Miscellaneous Appeal is filed under Section 47 of the Guardians and Wards Act, 1890 r/w. Section 151 of the Civil Procedure Code, to set aside the fair and decreetal order dated 12.01.2022 passed in G.W.O.P.No.182 of 2019 on the file of the Family Court, Tiruchirappalli.

For Appellant : Mr.S.Sankar

For Respondent : Mr.AN.Ramanathan,
For Mr.K.Sivabalan.

COMMON JUDGMENT
(By G.R.Swaminathan, J.)

Karthick and Saranya got married to each other on 05.03.2008 as per Hindu rites and customs. A male child/Rahul was born on 06.04.2009. The relationship between the couple came under strain. The wife left the matrimonial home along with the child in the year 2011. Subsequently, the parties dissolved their marriage by mutual consent vide order dated 26.08.2014 in H.M.O.P.No.588 of 2014. Subsequently, both



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the parties remarried. Karthick filed G.W.O.P.No.182 of 2019 before the Family Court, Tiruchirappalli seeking guardianship and custody of the child. The GWOP was disposed of on 12.01.2022 by the Court below. The father was given visitation rights. Challenging the same, the mother filed C.M.A.(MD)No.197 of 2022. Claiming full custody and guardianship, the father filed C.M.A.(MD)No.273 of 2022.

2.The learned counsel on either side advanced their respective contentions. As already mentioned, the boy was born in the year 2009. He is presently aged 17 years and four months. In another eight months, he will be attaining majority and the whole proceedings will become infructuous. The boy is now studying in 12th standard and we are of the view that passing any order at this stage may have a deleterious impact on the well-being of the child. We, therefore, do not propose to interfere. Since the boy is at a crucial stage, it would not be fair to make him spend the entire day in the company of his father when he should be devoting the said time for his studies. We are therefore of the view that the visiting hours can be reduced to one hour. However, the number of days can be increased. The father is permitted to see the child every Sunday for one hour. The order passed by the Court below is modified accordingly.



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WEB COPY 3.These civil miscellaneous appeals are disposed of accordingly.

No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.,) & (M.D.S. J.,)
18.08.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
IAS /PMU

To:

The Family Court,
Tiruchirappalli.

Copy to:

The Section Officer, ER/VR Section,
Madurai Bench of Madras High Court,
Madurai.



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G.R.SWAMINATHAN, J.
and
M.D.SUMATHI, J.

IAS /PMU

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