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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

O.S.A.No.82 of 2015
and
M.P.No.1 of 2015

Lavanya ... Appellant

vs

Aiyappan Soundarraaj ... Respondent

Appeal filed under Clause 15 of the Letters Patent read with Order XXXVI, Rule 9 of Original Side Rules against the order made in Application No.6511 of 2014 in O.P.no.672 of 2014, dated 12.02.2015.

For Appellant .. Mr.G.T.Subramanian
For Respondent .. Mr.S.Anil Sandeep

* * * * *

J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

The learned single Judge, on the aspect of custody, has passed an interim order in an application, making arrangement for the child to stay with the father for two continuous days and even that is sought to be disputed by the appellant/wife alleging that such overnight stay may not be permitted in respect of the boy child.

2. The learned counsel for the respondent alleges that in fact, even this arrangement was not honoured and contempt petitions are pending.

3. In our view, the learned single Judge is already in seizin of the issue and is yet to finally dispose of even the interim application. An arrangement has been made and in the mean time, the father having access to the child, we see no merit in the contentions in the appeal and such an arrangement is not liable to be interfered with by this Court.



4. The appeal is dismissed. No costs. Consequently,
M.P.No.1 of 2015 is closed.

To

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The Sub Assistant Registrar,
Original Side,
High Court, Madras.

+ 1 cc to Mr.G.T.Subramanian, Advocate SR 20659

+ 1 cc to Mr.S.Anil Sandeep, Advocate SR 20477

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O.S.A.No.82 of 2015
and M.P.No.1 of 2015