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In the High Court of Judicature at Madras

Dated: 22.04.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S. SIVAGNANAM

Original Side Appeal No. 83 of 2015
and M.P. No. 1 of 2015

K. Krishnapriya .. Appellant

vs.

R. Vijayakumar .. Respondent

Prayer: Original Side Appeal filed under Order 36, Rule 9 of Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order and decree dated 08.04.2015 passed by the learned Single Judge, in Application No. 7859 of 2014 in O.P. No. 768 of 2013 on the file of this Court.

For Appellant : Mr. S. Raghavan
For Respondent : Mr. Arivazhagan

J U D G M E N T

(Delivered by The Hon'ble The Chief Justice)

The mother wants to deprive the 2½ year old child of the companionship of the father who has been given visiting rights for about one and half days in a week. During this period in a week, the child is to stay with the father. The child is 2½ year old and in chamber proceedings, the learned Judge found the interaction of the child and father quite normal and affectionate.



2. We do not appreciate the endeavour of the appellant to use the child as a tool in the matrimonial dispute. The discretion has been rightly exercised by the learned single Judge. The appeal accordingly stands dismissed. No costs. Consequently, M.P. No. 1 of 2014 is also dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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

+1 cc to Mr.S.Raghavan, Advocate, SR.21843.

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O.S.A. No. 83 of 2015