

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2138 of 2015

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ORDER :

This civil revision petition is filed by the petitioner in O.P.No.724 of 2013, aggrieved by the order dated 12.04.2015, passed by the Additional Family Court, Hyderabad, in I.A.No.180 of 2014.

I.A.No.180 of 2014 is filed in the pending O.P., for custody of the child. It is the allegation of petitioner that the respondent, who is the father of the child, has taken away the child on 12.10.2013 on the pretext of shopping for purchase of clothes and retained forcibly. The Additional Family Court, Hyderabad, by impugned order, dismissed the said I.A., holding that there is no material to show that the respondent/father has taken away the child forcibly from her on 12.10.2013. While dismissing the I.A., the Family Court has granted visitation rights to the petitioner/mother, to see the child on 2nd and 4th Sundays of the month from 2 to 5 p.m. at the premises of Yellamma Temple at Balkampet, Ameerpet, Hyderabad.

In this civil revision petition, petitioner is mainly aggrieved of the conditions imposed while granting visitation rights. It is submitted that petitioner being the natural mother of the child, is entitled to exercise the visitation rights by taking the child to her residence on 2nd and 4th Sundays of every month, instead of visiting the

child from 2 to 5 p.m. in the temple premises. On the other hand, it is submitted by the learned counsel appearing for respondent that for the last several years, child is with the respondent/father and that no interference is called for, with the conditions imposed by the Family Court while granting visitation rights to the petitioner.

Having heard learned counsel for the parties, this Court is of the view that instead of granting visitation rights only from 2 to 5 p.m. on 2nd and 4th Sundays, the impugned order needs modification to the effect that the petitioner can pick-up the child from the residence of respondent on every 2nd and 4th Sunday of the month between 9 and 10 a.m. and handover the child to the respondent before 7 p.m. on the same day. While confirming the impugned order passed by the Family Court granting visitation rights to the petitioner, the conditions imposed in the said order, stands modified to the extent indicated above.

Revision petition is allowed in part, to the extent indicated above. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

21st August 2015

ajr