



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Seventh day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr. Justice S.M.SUBRAMANIAM

CMP(MD) No.8634 of 2016

IN

CMA(MD) No.204 of 2014

DR.MOSES PAUL

... PETITIONER/RESPONDENT

Vs

MRS.SOHNA CHANDRA PACKIAVATHY

... RESPONDENT / APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the respondent allowing my son to be with me atleast once in a week for entire day (Holiday) stipulated by this Honourable court at a time and date.

Prayer in CMA(MD). 204/ 2014 : To call for the records relating to the fair and decreetal order 06.11.2013 made in IDOP.No.25/2013 on the file of teh PDJ, Thanjavur and set aside the same and pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.MEENAKSHI SUNDARAM, Advocate for the petitioner and of M/S.RAJKUMAR, Advocate on behalf of the Respondent the court made the following order:-

The present petition has been filed by the petitioner/husband seeking visitation right with his minor child.

2.The contention of the petitioner is that the marriage between the petitioner and the respondent was solemnized on 16.01.2003 as per the Christian rituals and customs. Out of the wedlock, a male child was born in September 2004 and due to the strained relationship and misunderstanding between the parties, now they are living separately and the petition for divorce filed by the petitioner/husband was also allowed by the learned Principal District Judge, Thanjavur on 06.11.2013, against which, present CMA(MD)No.204 of 2014 has been filed.

3.Now, the petitioner/husband filed CMP(MD)No.8634 of 2016 seeking visitation right with his minor child.

4.The learned counsel for the respondent represented that the respondent has no objection to have visitation right by the petitioner with his child twice a month more specifically every second and fourth Sundays of the English Calender Month at St.Peters' Church at old Thanjavur.



5.Considering the arguments and counter arguments, this petition is allowed with the following directions:-

(i)The respondent is directed to bring the child to St.Peters' Church at old Thanjavur on every second and fourth Sundays of the English Calender Month from 11.00 a.m to 02.00 p.m and allow the petitioner to have visitation right with his child inside the Church campus.

(ii)The first visitation of the petitioner starts from 13.11.2016 and the petitioner shall have visitation rights until further orders.

(ii)The petitioner is directed not to take the minor child outside the Church campus.

(iii)If any trouble arises in between the parties, at the time of exercising the visitation right, the parties are at liberty to approach this Court for further orders.

List the Appeal on 15.11.2016.

sd/-
07/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

THE PRINCIPAL DISTRICT JUDGE
TANJORE.

+1 cc to Mr.D.Rajkumar, Advocate in SR No.66796
+11cc to M/S.S.MEENAKSHI SUNDARAM ADVOCATE SR.No. 66565

ORDER
IN
CMP(MD) No.8634 of 2016
IN
CMA(MD) No.204 of 2014
Date :07/11/2016

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ANR/DB/SAR1/08.11.2016/2P/4C