



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.09.2016

CORAM

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P (MD) No. 1148 of 2016

and

C.M.P (MD) No. 5680 of 2016

S.Thangam

.. Petitioner/Respondent/Petitioner

vs.

P.Nallamuthu

.. Respondent/Petitioner/Respondent

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.128 of 2016 in H.M.O.P.No.40 of 2015, dated 18.04.2016 by the Family Court, Madurai.

For Petitioner : Mr.C.Vakeeswaran

For Respondent : Mr.P.Rajagopalan for Mr.R.Devaraj

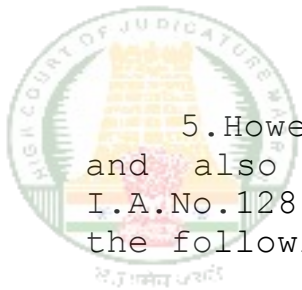
**ORDER**

This Civil Revision Petition arises out of the order, dated 18.04.2016 passed in I.A.No.128 of 2016 in H.M.O.P.No.40 of 2015, by the Family Court, Madurai.

2.When the matter came up for hearing on 12.09.2016, this Court directed both the learned counsel to get instructions from the parties to modify the visiting hours as granted by the Family Court, Madurai.

3.It is reported by the learned counsel for the petitioner that the petitioner has agreed to modify the visiting hours from 10.00 a.m., to 12.00 noon, subject to the fact that the child will be accommodated by the grand-father.

4.The learned counsel for the respondent would submit that the respondent is coming all along from Chennai to Madurai to see the child. Therefore, the visiting hours may be modified from 10.00 a.m., to 01.00 p.m.



5. However, taking into consideration of the facts of the case and also in the interest of justice, the order passed in I.A.No.128 of 2016 by the Family Court, Madurai, is modified on the following terms:-

i) Visiting hours granted by the Family Court, Madurai, permitted the respondent to see the minor son on every Sunday from 10.00 a.m., to 05.00 p.m., before the Meenakshi Amman Temple, Madurai, instead of that visiting hours is modified by permitting the respondent to see the minor son from 10.00 a.m., to 12.30 p.m., on every Sunday before the Meenakshi Amman Temple, Madurai.

ii) The grandfather of the child is permitted to be present along with the child during the visiting hours.

iii) One learned counsel from each of the parties before the trial Court, shall be present at the time of visiting hours.

iv) The trial Court is directed to proceed with H.M.O.P.No.40 of 2015 independently and dispose of the same in accordance with the provisions of law, without being influenced by any of the observations made in this order.

v) Liberty is granted to both the parties concerned that they can approach this Court, if there is any necessary regarding the dispute that arose due to the visitation rights of the child as afore mentioned.

6. With the above directions, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

The Judge, The Family Court, Madurai.

+1 CC to Mr.VAKEESWARAN, Advocate, SR No.53545

+1 CC to Mr.R.DEVARAJ, Advocate, SR No.54024

**C.R.P (MD) No.1148 of 2016**  
**and**  
**C.M.P (MD) No.5680 of 2016**  
**19.09.2016**