

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1678 of 2017
& C.M.P.No.7887 of 2017

Swikruti Majhi

.. Petitioner

Vs.

Pravat Kumar Behera

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Judgment and decree dated 04.01.2017 made in I.A.No.1547 of 2016 in G.W.O.P.No.469 of 2016 on the file of the Principal Judge Family Court, Chennai.

For Petitioner : Mr.C.Prabakaran

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order, dated 04.01.2017 made in I.A.No.1547 of 2016 in G.W.O.P.No.469 of 2016 on the file of the Principal Family Court, Chennai.

2. The petitioner is the wife of the respondent. The respondent filed G.W.O.P.No.469 of 2016 on the file of the Principal Family Court, Chennai for declaring him as guardian of said minor as the child has undergone cruelty not allowing him to meet his biological father. The respondent also filed I.A.No.1547 of 2016, seeking visitation right of the Minor child, namely, Kaushik Kumar. The petitioner filed a memo and stated that she has no objection for the respondent to visit the minor son, once in two months in the presence of the Police in the Child Care Centre [Creche] of the Family Court.

3. The learned Judge, considering all the materials available on record and the memo filed by the petitioner, held that the condition imposed by the petitioner in the memo is onerous condition and the respondent is the father and natural guardian of the minor and due to the tender age of the minor, he requires parental care, ordered visitation right to the respondent once in every first and third Saturdays between 10.00 a.m. and 01.00 p.m. and he can take the boy to nearby places for shopping.

4. Against the said order dated 04.01.2017 made in I.A.No.1547 of 2016 in G.W.O.P.No.469 of 2016, the present civil revision petition is filed by the petitioner.

5. Heard the learned counsel for the petitioner and perused the materials available on record.

6. The respondent is father and natural guardian of the minor. The learned Judge has considered all the materials available on record and ordered visitation right to the respondent on first and third Saturdays of every month on the ground that the minor requires more parental care in view of his tender age. There is no illegality or irregularity warranting interference by this Court with the order of the learned trial Judge dated 04.01.2017.

7. In the result, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.06.2017

Index : Yes/No

rns/av

V.M.VELUMANI, J.

rns/av

To

The Principal Judge Family Court,
Chennai.

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