

Material on record discloses that the respondents/grand parents have filed G.W.O.P.No.12 of 2014 for custody of minor child Pooja

Lakshmi, from the mother and natural guardian, Mrs.Shruthi.

2. Adjudicating the rival contentions, vide judgment, dated 26/7/2016, in G.W.O.P.No.12 of 2014, the learned District Judge, Nilgris, Ootacamund, declined to grant the relief of custody of the child to the grandparents. However, permitted visitation rights to the grand parents, till the minor child attains majority, on every second and last Sunday, and directed both the mother and the Educational Institution to cooperate.

3. Assailing the correctness of the same, instant Civil Miscellaneous Appeal is filed.

4. Though Mr.P.Muthusamy, learned counsel for the appellants contended that the trial Court has failed to consider the interest of the minor child and granted visitation rights, as stated supra, having regard to the paramount welfare of the child, which requires Love & Affection from the all dear and near, we are not inclined to accept the said contention. Parents-in-law have expressed their desire to see their grand daughter. Taking note of the above, Court below has granted visitation rights and that would not in any way affect the

interest of the child.

5. Child is stated to be in boarding School. She has not been permitted to go with the grand parents. They are permitted only to see the child in the School. The child would grow with the Love & Affection of grand parents. Concern of the child is taken care of. Such visitation rights cannot attain at any stretch of imagination be termed as perverse.

6. In view of the above findings, we are not inclined to interfere with the impugned judgment. Accordingly, this **Civil Miscellaneous Appeal is dismissed**. No costs.

(S.M.K.,J) (M.G.R.,J)
27th February 2017

mvs.

Index: yes/No

website: Yes/No.

S.MANIKUMAR,J

a n d

M.GOVINDARAJ,J

mvs.

To

The Family Court, Ootacamund.

C.M.A.No.706 of 2017

27/2/2017

<http://www.judis.nic.in>