



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

FRIDAY, THE EIGHTH DAY OF DECEMBER, TWO THOUSAND AND SEVENTEEN

PRESENT:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CMA (MD) No.1001 of 2016

Karpagam

... Appellant/ Respondent

Vs.

Ravikumar

... Respondent/ Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 47 of the Guardian and Wards Act against the Judgment and Decreeal Order dated 23.06.2016 made in G.W.O.P No.6 of 2013 on on the file of the Principal District Judge, Ramanathapuram.

DECREE: This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr.V.Kannan, Advocate for the Appellant and of Mr.M.V.Venkataseshan, Advocate for the Respondent, this Court while allowing the Appeal of the court below, doth order and decree as follows:

1. That the decreetal order passed in G.W.O.P No.6 of 2013, dated 23.06.2016 on the file of the Principal District Judge, Ramanathapuram, be and hereby is modified;
2. That, the respondent herein be and hereby is declared as the natural guardian of the minor child Arun;
3. That, the appellant herein be and hereby is entitled to have the physical custody of the minor child;
4. That, the respondent be and hereby is entitled to visitation rights and there can not be any restriction of his visitation rights. It is open to the respondent to visit the child as and when he pleases;
5. That, it is made clear that the appellant herein shall to facilitate the exercise of such visitation rights by the father of the child and shall not create any impediment; and



6. That, there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1.The Principal District Judge, Ramanathapuram.

COPY TO:

The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S.V.KANNAN, ADVOCATE, SR NO.91879

+1CC TO M/S.M.V.VENKATASESHAN, ADVOCATE, SR NO.91755

ORDER DATED : 08.12.2017

DECREE

CMA(MD)No.1001 of 2016

Allowing the appeal preferred against the Judgment and Decreetal Order of the Principal District Judge, Ramanathapuram, dated 23.06.2016 made in G.W.O.P No.6 of 2013 and etc., as stated within.

MS/KKR/SAR-2/26.04.2018/2P.6C