



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.05.2017

C O R A M

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRP (PD) (MD) No.842 of 2017

and

C.M.P. (MD) No. 3752 of 2017

Kannappan

.. Petitioner

Vs.

Valanadu

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India praying to allow this Civil Revision Petition and set aside the fair and decretal order dated 18.01.2016 made in I.A.No.113 of 2015 in G.W.O.P.No.07 of 2015 on the file of the District Judge, Sivagangai.

For Petitioner

... Mr.R.Vijayakumar

For Respondent

... Mr.S.Ramesh

O R D E R

This Civil Revision Petition is directed against the order passed by the learned District Judge, Sivagangai, granting visitation right to the respondent herein, permitting him to see the minor child Mahisha on every Sunday between 10.00 a.m. and 12.00 noon at the respondent's house or any place convenient to the parties.

2.The revision petitioner herein, who is the maternal grandfather of the minor girl is aggrieved by the said order for the reason that the respondent herein has never taken care of the child, since her birth and he neglected both his wife and daughter. After the death of his wife, the minor girl was left to the care of the revision petitioner and he is taking care of her by spending for her health and education. Further there are other allegations against the respondent, regarding his character and indifference to the child welfare, but without any basis.

3.The respondent contends that despite the Court order permitting him to visit his daughter, the revision petitioner have



not allowed him to see his daughter. So to facilitate the biological father / the respondent to meet his daughter in a conducive atmosphere, this Court requested the respective counsel to bring the parties for personal hearing. Accordingly, on 02.05.2017, a preliminary counselling was held and the matter was adjourned today (05.05.2017). The parties had agreed to have the meeting of father and child at "Oorkaval Kovil" situated at Manalur Village. The respondent also undertakes that he will not precipitate the issue by approaching the Police or any other extra-constitutional authorities, causing harassment and disturbance to the revision petitioner and his family members. Likewise the revision petitioner undertakes to bring the child to "Oorkaval Kovil", every Sunday between 10.00 a.m and 12.00 noon and facilitate the meeting of the father and child.

4. Recording the same, the order of the Trial Court is modified as under:-

"The revision petitioner or his family member shall bring the minor girl Mahisha to "Oorkaval Kovil" situated in Manalur Village on every Sunday by 10.00 a.m. and the respondent shall go over there and meet his daughter and spend time with her till 12.00 noon. During the visitation, the revision petitioner shall facilitate smooth interaction of the child with her father. All other conditions imposed by the Trial Court shall stand confirmed."

5. Accordingly, this Civil Revision Petition is disposed of. No order as to cost. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Crl Side)

/True Copy/

Sub Assistant Registrar

To

The District Judge,
Sivagangai.

+1cc to Mr.R.Vijayakumar, Advocate, SR.No.56079

+1cc to Mr.V.Raghavachari, Advocate Sr.No.21903

km/rj2

AE/RSK/SAR1/26.05.2017/2P/4C

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