

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.R.P.No.2840 OF 2017

ORDER

Heard learned counsel appearing for the petitioner and learned counsel appearing for the respondent.

This Civil Revision Petition is directed against the order dated 6.6.2017 passed in I.A.No.322 of 2017 in G.O.P.No.16 of 2017 by the VII Additional District Judge, Ongole.

The revision petitioner is the father and the respondent is the grand father.

I.A.No.322 of 2017 was filed by the respondent-grand father seeking interim custody of the minor-Mokshith. While issuing notice on 16.06.2017, the Court below, directed the revision petitioner to produce the minor before the Court in order to handover him to his grandfather-respondent, and also granted interim custody of the boy to his grandfather.

The Court below ought not to have passed such an order while issuing notice to the revision petitioner-father.

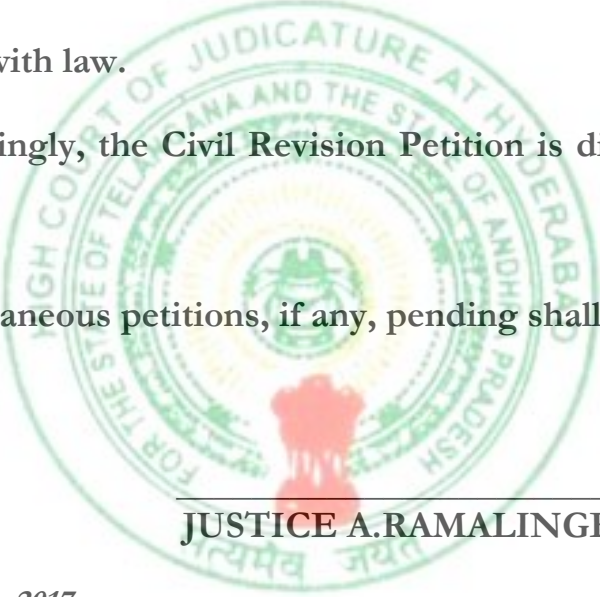
In view of the same, this Court called for a report from the Principal District Judge, Prakasam District, at Ongole, who in

turn, submitted a report stating that such an order was passed by the VII Additional District Judge, Ongole.

Since the impugned order passed by the Court below is irregular as it was passed while issuing notice to the revision petitioner, the same is set aside and the Court below is directed to pass appropriate orders in I.A.No.322 of 2017 in G.W.O.P.No.16 of 2017 after hearing both the parties, in accordance with law.

Accordingly, the Civil Revision Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

15th September, 2017
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