

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P.(PD) No.225 of 2018 and C.M.P.No.1311 of 2018

R.Priyadharshini

... Petitioner

Vs

N.Karthikeyan

... Respondent

This Civil Revision Petition is filed under Article 227 of the Constitution of India against the order, dated 22.12.2017 made in I.A.No.529 of 2017 in H.M.O.P.No.293 of 2016 on the file of the Subordinate Judge, Tambaram.

For Petitioner
Respondent

: Mrs.Christy Lydia
: Mrs.Malarvizhi Udayakumar

ORDER

The respondent herein has filed H.M.O.P.No.293 of 2016 under Sec.9 of the Hindu Marriage Act for restitution of conjugal rights. The petitioner herein has filed H.M.O.P.No.334 of 2016 under Sec.13(1) (ia) of the Hindu Marriage Act, 1955 to dissolve the marriage that took place between the

petitioner and the respondent at Thuluva Vellalar Thirumana Mandapam in Kadambarayan street, Thiruvannamalai. The respondent herein has filed an application in I.A.No.529 of 2017 in H.M.O.P.No.293 of 2016 for interim custody of his male child namely K.Dheepeshvaran, aged about 3½ years. The court below after hearing both side, permitted the petitioner to take custody of child from the petitioner's house on every Sunday at 10.00 a.m. and return the child to his mother's custody on the same day evening at 6.00 p.m.

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

3 By consent of both parties, this Court is inclined to modify the order passed by the court below as follows:

(i) The petitioner/mother shall hand over the child to the respondent/father two weeks once viz., on Sunday from 10.00 a.m. to 1.30 p.m. at Vadapalani Murugan temple, Chennai.

(ii) One of the counsel on both sides shall accompany the child during the aforesaid visit.

(iii) The above said arrangement is subject to the finality reached before the Mediation Centre or final order passed in H.M.O.P.No.293 of 2016.

(iv) Both side parties undertakes that H.M.O.P.No.293 of 2016 may be referred to Mediation and Conciliation Centre, viz., Subordinate Court, Tambaram for amicable settlement. It is open to the parties, if necessary, to file application for any modification.

4 The Civil revision petition is disposed of with the above directions. No costs.

25.1.2018

Speaking/Non Speaking order
Index: Yes/No
vaan

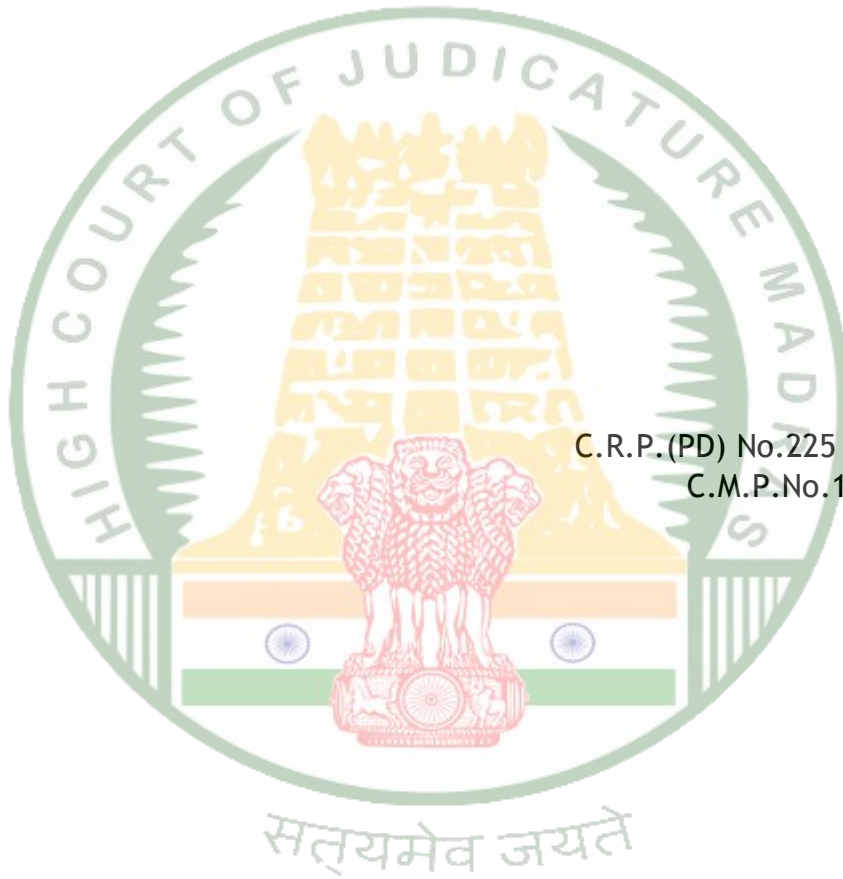
To
The Subordinate Judge, Tambaram



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D.KRISHNAKUMAR,J.

vaan



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