

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.730 of 2018

and

CMP.No.3727 of 2018

Vishnupriya

.. Petitioner

Vs

N.Bharathi Raja

... Respondent

**PRAYER**

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order passed in IA.No.441 of 2017 in HMOP.No.448 of 2017 dated 30.11.2017 on the file of Subordinate Judge, Tambaram, Kancheepuram District.

For Petitioner

: Mr.M.Balasubramanian

**ORDER**

According to the revision petitioner, the respondent herein has filed a petition in HMOP.No.448 of 2017 against the revision

petitioner for restitution of conjugal rights. In the aforesaid petition, the respondent herein has filed an application in IA.No.441 of 2017 to grant interim custody or visitation of the child viz. Siva Yazhini till the disposal of the case. The court below has allowed the application and permitted the respondent to visit the child by taking custody of the child at 10.00 a.m. of every week Sunday at 'Phoenix Mall', Chennai and return the child to the mother on the same day at 06.00 p.m. with further directions to the respondent. Against the said order, the present Civil Revision Petition has been filed before this Court.

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

3. On perusing the order of the court below, it is seen that the said order has been passed by considering the visitation right of the respondent herein. Hence, this Court does not warrant to interfere with the order of the court below and the Civil Revision Petition is liable to be dismissed. However, it is open to the revision petitioner to seek any modification in the said order before the court below at later stage.

4. The Civil Revision Petition is dismissed with above observations. Consequently, the connected miscellaneous petition is closed. No costs.

23.02.2018

Speaking/Non-Speaking order  
Index :Yes/No  
Internet:Yes/No  
lok

To

The Subordinate Judge,  
Tambaram,  
Kancheepuram District.



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D. KRISHNAKUMAR J.,

lok



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