



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.1647 of 2018

K.R.Premkumar

... Petitioner/Petitioner/
Petitioner

Vs.

M.M.Pavithra

... Respondent/Respondent/
Petitioner

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 22.06.2018 passed in I.A.No.232 of 2016 in H.M.O.P.No.351 of 2010 on the file of the Family Court, Madurai, by allowing this Civil Revision petition.

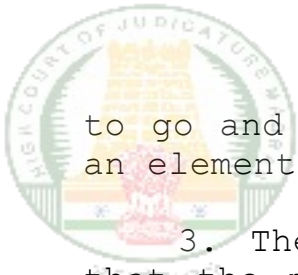
For Petitioner: M/s.K.Abiya

For Respondent: Mr.J.Ramamoorthy

O R D E R

The Revision petitioner Premkumar got married to the respondent Pavithra and two children were born through the said wedlock. Since marital relationship between the parties came under strain, the marriage was dissolved by mutual concern in H.M.O.P.No.351 of 2010 on the file of the Family Court, Madurai. The respondent agreed that the Revision petitioner can have visitation rights. Contending that this agreement has been breached, the Revision petitioner filed I.A.No.232 of 2016 before the Family Court, Madurai. The said Interlocutory application was dismissed by the Court below. Questioning the same, this Civil Revision petition has been filed.

2. Out of the two children, the girl has already attained majority. The boy is still a minor. The learned Family Judge examined him in person and noted that he is absolutely not willing



to go and see the father. In matters like this, there cannot be an element of compulsion by the Court.

3. The learned counsel appearing for the respondent submits that the mother is not in any way standing in the way. If the minor boy who is now aged about 15 years is not willing to go and see the father, there is little the mother can do.

4. Therefore, the order passed by the Court below does not warrant any interference. The Civil Revision petition is closed, accordingly. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Judge,
Family Court, Madurai.
2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies)

+ 1 CC TO Ms.K.ABIYA, ADVOCATE IN SR NO.87831
+ 1 CC TO MR.J.RAMAMOORTHY , ADVOCATE IN SR NO.87981
PMU
BU/NM/RP/SAR-IV :15.11.2018 : 2P/6C

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