

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

DATED, THE 12TH DAY OF APRIL 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

A.No. 4777 of 2012

in

O.P.No.637 of 2012

In the Matter of Guardians
And Wards Act, 1890,

And

In the matter of Nishita
Minor,

Shri.Ashok Surana

S/o. Shri Kanhiaya Lal Surana

R/o. No.21-1, Old No.50,

15th Street, R Block,

Anna Nagar, Chennai - 600 040.

..Applicant/Petitioner

Vs

Kavitha Jain

D/o. Shri Gajraj Jain

W/o. Sh.Ashok Surana

R/o. C-484, Yojna Vihar, 1st floor,

New Delhi 110092..

..Respondent/Respondent

Application praying that this Hon'ble Court be pleased to grant visitation rights to the petitioner to visit the minor child namely Nishita 7 years old, who is presently in Delhi, weekly once on Saturdays or Sundays.

This application coming on this day before this Court for hearing, the court made the following order:-

This application has been filed seeking visitation rights to the petitioner to visit the minor child Nishitha.

The Applicant is the father of the child. The marriage

<https://hcservices.ecourts.gov.in/hcservices/>

between the parents was terminated by a decree of divorce

granted by the Family Court at New Delhi on 30.07.2012. It

is also admitted by the parties as well as the learned

counsel appearing for the parties that an arrangement regarding visitation has been made by the Family Court at New Delhi. The applicant herein has moved to the Family Court at New Delhi complaining of dis-obedience of the order passed regarding visitation by the respondent wife. Those proceedings are pending before the Court in New Delhi. By an order dated 29.08.2017 this Court has directed the Registrar General to forward the copy of the order to the Registrar General of the Delhi High Court with a request to the Family Court at New Delhi to issue notice to the petitioner and respondent to appear along with the child before the Family Court. The Family Court was required to ascertain the wishes of the child and also have a discussion with the petitioner and respondent and forward the report to this Court. Pursuant to the said direction, the Principal Family Judge at New Delhi had interactions with the child as well as the parents. The report of the Principal Judge, Family Court at New Delhi has been placed before this Court. A reading of the report as well shows that the child has disinclination to meet the applicant. In view of the said report as well as the fact that the applicant has been favoured with visitation rights by the Family Court at New Delhi, I do not deem it necessary for granting any further visitation right. Hence, Application No.4777 of 2012 is dismissed. It is stated by the respondent that she has filed the application to set aside the ex-parte order in diary Nos.50845 and 50846 of 2019.

2.Registry is directed to number the applications if it is otherwise in order and post on 25.04.2019.

Sd/.R.S.M.J

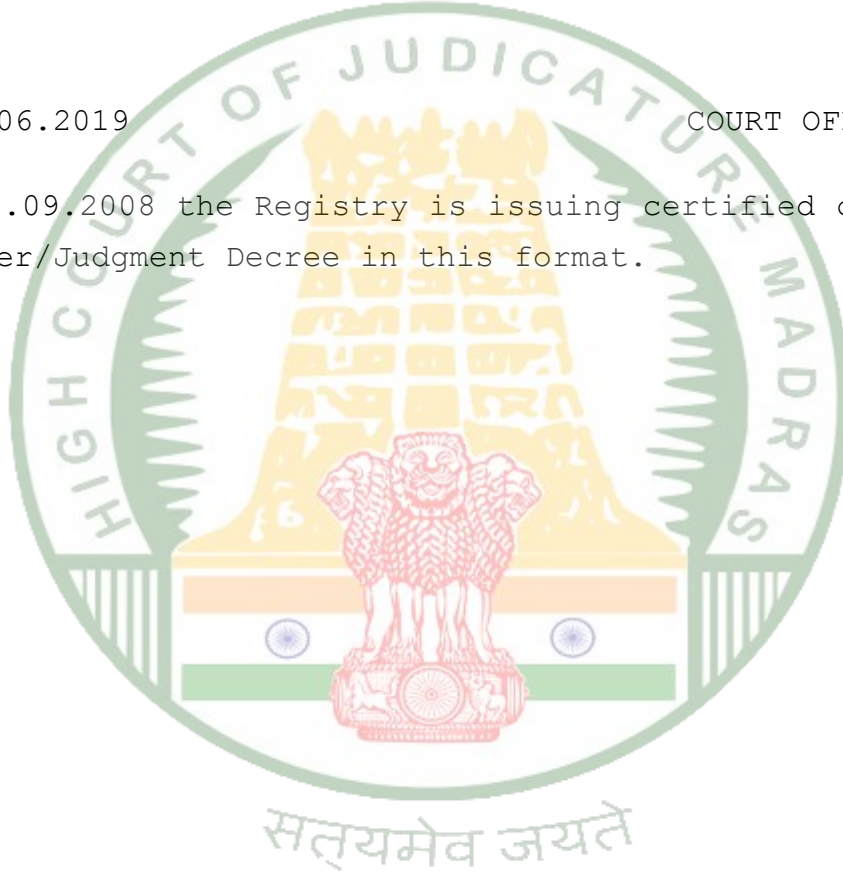
12.04.2019

//Certified to be a true copy//
Dated this the day of 2019.

R.s/25.06.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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