

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD).No.1388 of 2019

&

C.M.P.No.9131 of 2019

Jesima yasmin ...Petitioner

Vs

Mohammed Alameen ... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order dated 01.12.2018 made in I.A.No.99 of 2018 in G.O.P.No.1 of 2017 on the file of the Court of the District Judge, Karaikal.

For Petitioner : Mr.T.Ananthasekar

For Respondent : Mr.R.Sreedhar

ORDER

Today, in response to the order of this Court dated 11.04.2019, the parties were present with the minor Azeem Azfer. After discussion, it is seen that the revision petitioner has

remarried and it also appears that her present husband is already having two children and he is now in the Middle East and the revision petitioner is living in Karaikal, Puducherry, along with her son through the respondent.

2.Considering the fact that the present husband of the revision petitioner is already blessed with two children, this Court is of the strong view that Azeem Azfer has to make a contact with his biological father Mr.Mohammed Alameen, the respondent herein.

3.The matter was discussed with the parties as well as with the counsels, who have also assisted the Court in convincing the revision petitioner, wife that the respondent, husband should be permitted visitation rights to the minor Azeem Azfer once in fifteen days (Every alternate Saturday) between 3 p.m to 5 p.m.

4.It is made clear that the revision petitioner shall voluntarily instruct the child to go to the respondent and not make any obstruction to the same.

5.Likewise, there was a complaint from the revision petitioner that the respondent was misbehaving with her. The respondent shall not make such kind of conduct with the revision petitioner, who is now another man's wife. The order of the learned Judge is therefore modified to the following extent:

A)The respondent, Mohammed Alameen will have the right to visit and be with a child Azeem Azfer once in fifteen days (every alternate Saturday) between 3 p.m to 5 p.m . The first of such a visit will be on 27.04.2019 before Karaikal Jamath, Town Kazi office. The Kazi, Karaikal Jamath, shall make arrangements so that the private space will be given to the father and son to interact.

B)The Wife shall voluntarily handover her minor son to the biological father for the visits.

C)The respondent shall not act or cause any inconvenience physically or mentally to the revision petitioner, wife during such visits.

6.The parties have to strictly adhere to the above consideration. It is further made clear that even if the revision petitioner were to visit her present husband who is in the Middle East, the Child shall not be taken with her and the respondent, Mohammed Alameen will also not insist any visitation right over and above what is granted by this Court.

The Civil Revision Petition is disposed of on the above lines. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is also closed.

22.04.2019

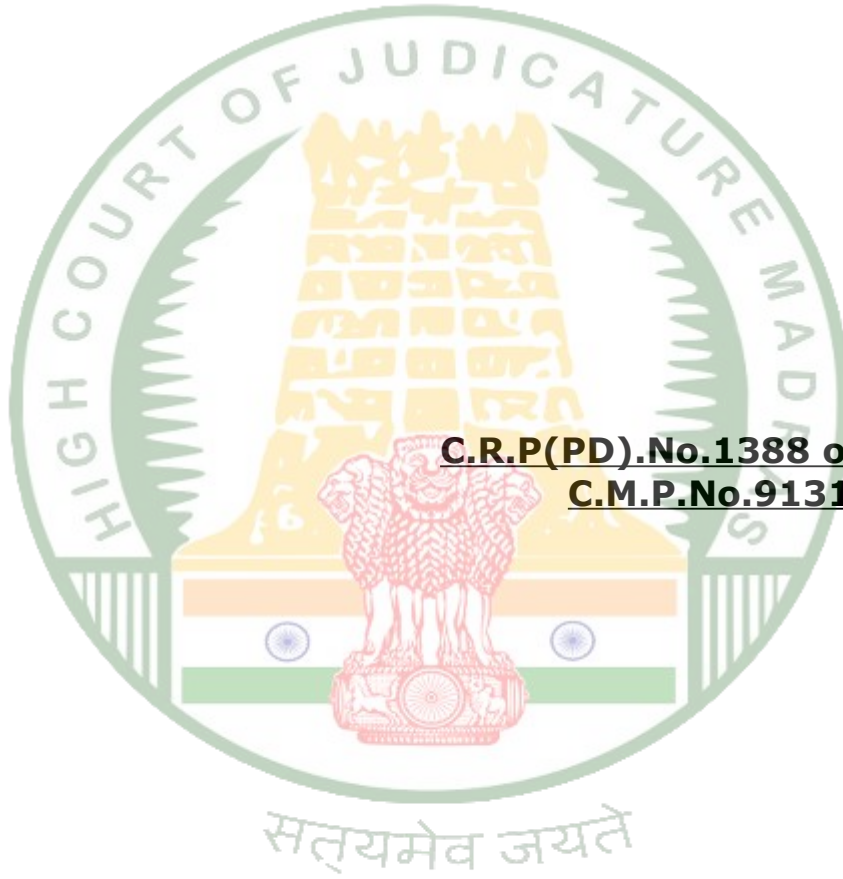
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Index : Yes/No
Speaking order/non-speaking order

Note:Order copy to be issued on 24.04.2019

To,
The District Judge, Karaikal.

P.T.ASHA, J.,

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