

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.08.2019

CORAM:

THE HON'BLE MR. JUSTICE M.GOVINDARAJ

C.R.P.(PD) No. 1589 of 2019

and

C.M.P.No. 10404 of 2019

Sivakumar

... Petitioner

Vs.

Louis Geetha

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order passed in I.A.No.200 of 2018 in G.W.O.P.No. 22 of 2011 passed by the learned Principal District Judge, Vellore dated 03.01.2019.

For Petitioner : Mrs.V.Anuradha

For Respondent : Mrs.G.Devi

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ORDER

The revision petitioner is the husband under whose custody the children are living. The respondent-wife filed a Guardian and Wards Original Petition in G.W.O.P.No. 22 of 2011, in which she sought to

examine the children as a Court evidence and the Trial Court has allowed the petition on 03.01.2019. Aggrieved over the said order, the petitioner-husband is before this Court.

2. The concern of the petitioner is that the children are facing adverse atmosphere at Court and the second husband of the respondent-wife intimidates the children. Since the atmosphere is not conducive at Court and it affects the children who are in X and XI standard respectively, therefore, he seeks to set aside the order.

3. This Court is also concerned about the welfare of the minors and inconvenience caused to the children, studying X and XI standard. Therefore, considering the facts and circumstances of the case, the following directions are given:-

(a) The children can be brought to Court on a date convenient to both of them, without detriment to their studies.

(b) The children shall be given suitable protection if necessary, through Police also, as directed by the District Judge.

(c) The parties shall conclude the examination of the Trial witnesses, within a day or two, without causing any emotional set back to them.

(d) The District Judge is directed to set a specific date, after

verifying the convenience of the parties as well as the children.

4. In the result, the Civil Revision Petition is disposed of with above observations. The order passed by the District Judge is modified with the above decision. No costs. Consequently, the connected civil miscellaneous petition is closed.

02.08.2019

Speaking Order/Non Speaking Order
Index : Yes/No

Note : Issue Order Copy on 05.08.2019

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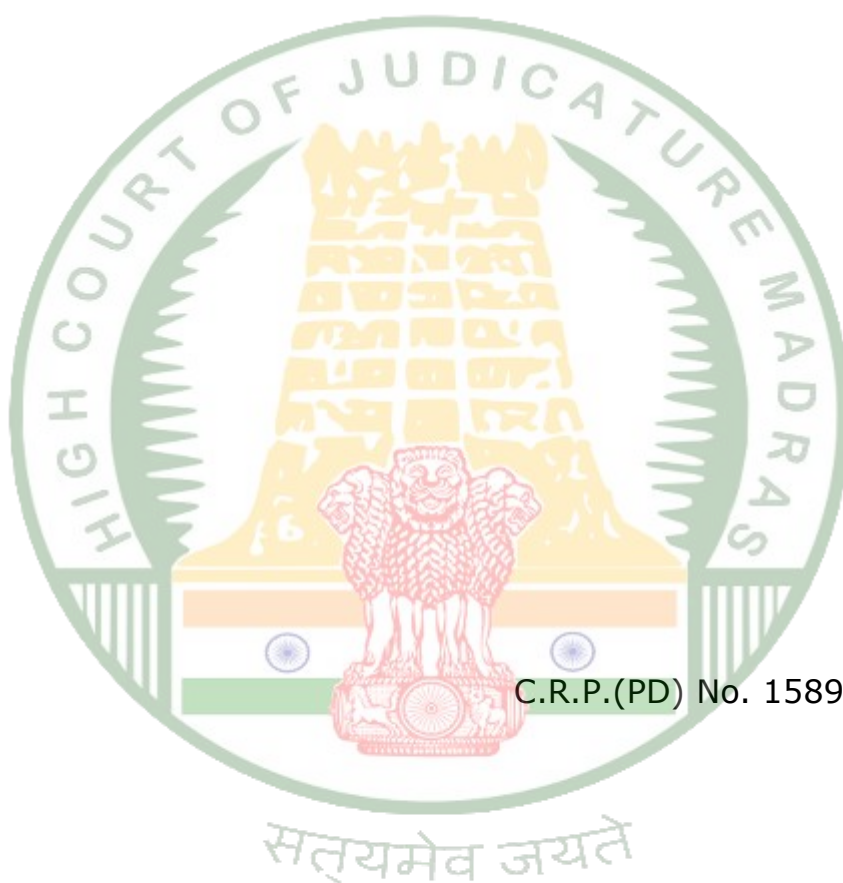
To

Principal District Judge,
Vellore.

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M. GOVINDARAJ, J.

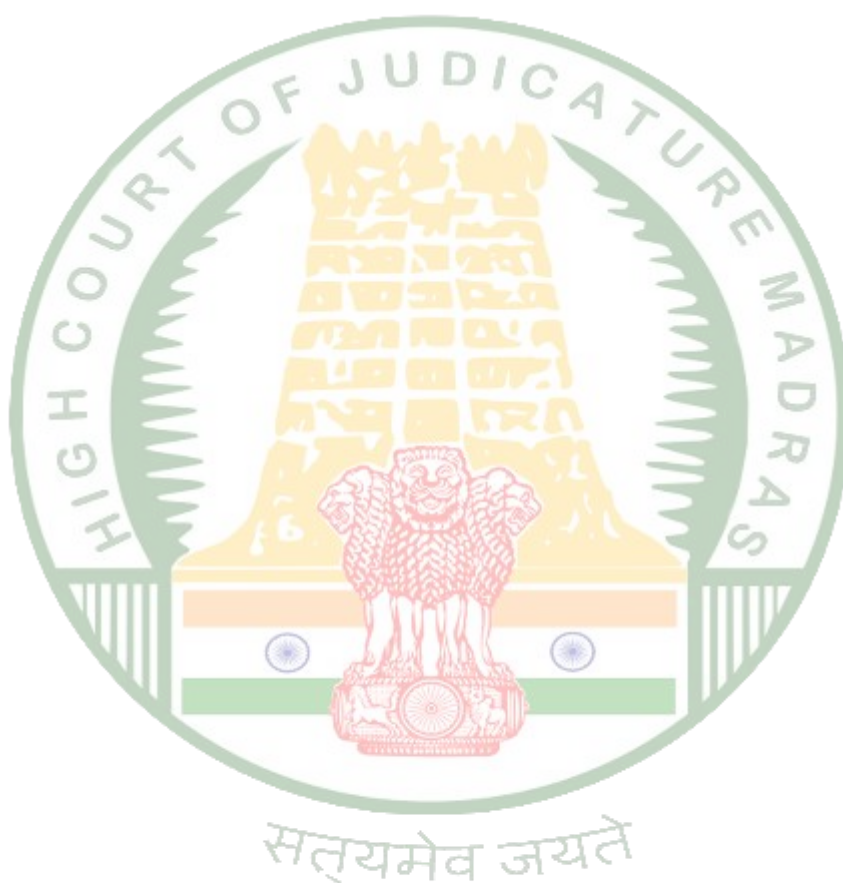
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