

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Contempt Petition.No.1901 of 2017andSub-Application No.375 of 2017

P.Saravanan Petitioner

Versus

K.Karuppannan @ Ponnusamy Respondent

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for willful disobedience of the order dated 19.09.2017 made in CMA.No.1475 of 2016 passed by this Court.

For Petitioner : Mr.N.Manikaran

For Respondent : Mr.Nizhar Ahmed
for Mr.R.DhanasekarO R D E R

By the order dated 19.09.2017 made in CMA.No.1475 of 2016, the respondent was directed to take the child to the appellant's house and drop her in the appellant's house at 10.00 a.m in the morning and the appellant will have the custody of the child till 4.00 p.m and the appellant was directed to drop the child back in the respondent's house at 4.00 p.m.

2. Since the said order was not complied with, the present Contempt Petition came to be filed. Pending Contempt Application, I had passed the following order on 14.02.2019:

"2. In order to make the child comfortable with the father, the following arrangement is made.

"The Contemnor is directed to produce the child before the Secretary, District Legal Services Authority, Namakkal, on every Sunday morning at 10.00 a.m commencing from 17.02.2019 till 10.03.2019. The child will spend three hours with the father between 10.00 am and 1.00 pm. The contemnor shall not interfere with the interaction that the child will have with her father for the said period."

3. It is now stated that the order dated 14.02.2019 is complied with without any problem. The learned counsel for the parties agree for the following arrangement pending disposal of the CMA.No.1475 of 2016.

"The respondent who is having the custody of the minor child shall take the minor child to the Office of the

Secretary, District Legal Services Authority, Erode on alternate Sundays commencing from 14.04.2019 and leave the child in the custody of the appellant (father of the child). The appellant shall have the custody of the child till 4.00 p.m. He shall handover the child to the respondent in the Office of the Secretary, District Legal Services Authority, Erode at 4.00 p.m"

4. Subject to this arrangement, the Contempt Petition is closed. The change in the venue to District Legal Services Authority, Erode is made considering the fact that the place of residence of the child is nearer to the District Legal Services Authority, Erode. Consequently, the connected sub-application is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

dsa

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

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THS/10/04/2019