



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P (MD)No.1031 of 2019

and

C.M.P (MD)No.5678 of 2019

1.Maria Leenammal

2.R.Rajan Stanline

.. Petitioners /
Respondents/Respondents

Vs.

M.Raja Retnam

.. Respondent /
Petitioner/Petitioner

PRAYER: Civil Revision Petition is filed under Section 115 C.P.C. against the docket order dated 03.06.2019 made in I.A.No.1 of 2019 in G.W.O.P.No.94 of 2018 by the learned District Judge, Family Court, Kanyakumari Division at Nagercoil.

For petitioners : Mr.B.Jeyakumar

For Respondent : Mr.R.Murugan

ORDER

Against the docket order dated 03.06.2019 made in I.A.No.1 of 2019 in G.W.O.P.No.94 of 2018 by the learned District Judge, Family Court, Kanyakumari Division at Nagercoil, the present civil revision petition has been filed.

2.The marriage between the respondent and the daughter of the 1st petitioner was solemnized on 14.11.2013 and they blessed with a female child. The daughter of the 1st petitioner / wife died on 16.01.2016. Thereafter, the respondent filed G.W.O.P.No.94 of 2018 against the petitioners, before the Family Court, Madurai, for the custody of the minor child. The Court below has allowed the same and appointed the respondent as guardian of the minor child until she attains majority. The Court below also directed the respondent to leave the child in the company of the 1st petitioner - maternal grandmother on every Sunday, 5 days during Christmas Vacation and 20 days continuously in summer vacation. Thereafter, the respondent has filed the present petition seeking to direct the petitioners to



hand over the child to him as directed by the Court below, in case of failure by the respondents, in which, the Court below sought report from the District Child Welfare Officer, Nagercoil and the District Child Welfare Officer also submitted his report. The Court below after perusing the report, found that it is not satisfactory. Against the said docket order, the present civil revision petition has been filed.

3.Today, when the matter is taken up for hearing, the learned counsel for the petitioners would submit that the child was handed over to the respondent and therefore, nothing survives for adjudication in the present civil revision petition. The learned counsel for the respondent would also admit the said submission.

4.Recording the same, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar

To

The District Judge,
Family Court,
Kanyakumari Division at Nagercoil.

+1 CC to M/s.R.MURUGAN, Advocate (SR-80222[F] dated 07/08/2019)

ORDER MADE IN
C.R.P (MD)No.1031 of 2019
07.08.2019

smn

JM/05.09.2019/2P/3C