



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE KRISHNAN RAMASAMY

C.R.P. (PD) (MD)No.885 of 2019

and

C.M.P. (MD)No.5151 of 2019

WEB COPY

S.Anitha Jeganath

... Petitioner / Respondent

Vs.

J.Jeganatha Jeyam

... Respondent / Petitioner

Prayer: The petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 06.06.2019 made in G.W.O.P.No.26 of 2017 passed by the District Court, Thoothukudi.

For Petitioner	: Mr.M.Vijayarathinam
For Respondents	: Mr.J.Jeganatha Jeyam (party in person)

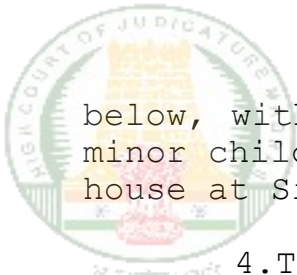
ORDER

This Civil Revision Petition has been filed to set aside the docket order dated 06.06.2019 made in G.W.O.P.No.26 of 2017 passed by the District Court, Thoothukudi.

2.The docket order dated 06.06.2019 passed by the Court below is as follows:

"Memo filed intimating about child produced before mediation centre on 10.05.2019 recorded. P.W.1 cross examination over. Child shall be produced on 15.06.2019 petitioner is entitle to take the child to his house at village Sivathaiyapuram from morning 10 AM to 5 PM earlier conduct of respondent not giving free atmosphere to petitioner to chat with child is deprecated parties must give due respect to court proceedings. Along with petitioner one man and woman constable shall be accompanied call on 18.06.2019 for petitioner side further evidence. I.A.107/19 in GWOP 26/17 No counter filed. No serious objection. Hence this petition is allowed."

3.The learned counsel appearing for the revision petitioner / wife submitted that the minor child viz., J.Rohit is about 7 years and he is not willing to go along with the respondent / husband and in these circumstances, allowing the child to go along with the respondent is not proper, whereas, the Court



below, without considering the objections of the petitioner and the minor child, permitted the respondent to take the minor child to his house at Sivathaiyapuram.

4.The learned counsel appearing for the petitioner fairly submitted that the respondent / father may be permitted to see the minor child in school viz., St.Joseph Matriculation Hr.Sec.School, Mangalagiri once in a week ie., every Friday or any other day as may be directed by this Court.

5.The respondent has agreed for the same.

6.Considering the submissions made on either side, the respondent / father is permitted to see the minor child viz., J.Rohit studying in St.Joseph Matriculation Hr.Sec.School, Mangalagiri once in a week. The Headmaster of the said school shall permit the respondent to see his son in the school campus subject to their convenience for a period of 3 months from the date of receipt of a copy of this order. Thereafter, if the respondent / husband shall intend to take the child to his house, he is at liberty to file appropriate application before the Court below after a period of 3 months. On filing such application, the Court below shall consider the same on merits and in accordance with law.

7.With these directions, this Civil Revision petition is disposed of. No costs. Consequently, connected C.M.P.is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

The District Judge,
Thoothukudi.

Copy to:

The Headmaster,
St.Joseph Matriculation Higher Secondary School,
Mangalagiri 628 103

C.R.P. (PD) (MD)No.885 of 2019
12.09.2019

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