



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRP (MD)No.421 of 2020

and

CMP (MD)No.2477 of 2020

K.Nandhini

... Petitioner/Petitioner/Petitioner

Vs.

D.Karthick

... Respondent/Respondent/Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order passed by the learned Family Court, Tiruchirappalli in I.A.No.1/2019 in G.W.O.P.No.25/2017 dated 18.10.2019 wherein the court below directed the respondent to bring the minor daughter D.K.Sai Rithika to the counseling centre attached with the Family Court, Tiruchirappalli on Saturday (1st working Saturday) at about 10.00a.m. to 1.00p.m.

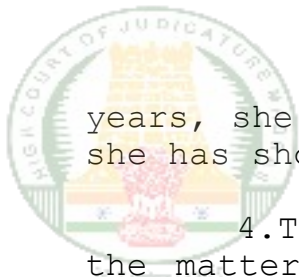
For Petitioner : Mr.N.Sathish Babu

ORDER

This Civil Revision Petition is filed to set aside the order dated 18.10.2019 passed in I.A.No.1/2019 in G.W.O.P.No.25/2017 by the Family Court, Tiruchirappalli.

2.The petitioner is the wife of the respondent. Out of their wedlock, they blessed with two children. The petitioner filed GWOP.No.25 of 2017 seeking custody of her elder daughter. Though she admitted that the elder daughter is with her husband, earlier, she has filed HCP(MD)No.990 of 2017 before this Court against her husband as if he kidnapped the child. This Court, dismissed the said petition stating that the respondent, being the father of the child, is the natural guardian of the child and therefore it cannot be stated as illegal custody and directed the petitioner to work out her remedy. Therefore, the petitioner filed GWOP. No.95 of 2017 in the year 2017 and after two years, she filed the I.A.No.1 of 2019 seeking interim custody of the child. The designated Court, has carefully gone through the entire materials and granted the interim visitation right. Aggrieved by which, the petitioner filed the present petition.

3.Admittedly, the child is with the respondent for more than four years. The petitioner has filed the Habeas Corpus Petition in the year 2017 and made an attempt to snatch the child from the father. Thereafter she filed GWOP in the year 2017 and after two



years, she filed the application seeking custody of the child, as if she has shown interest on the welfare of the child.

4.This Court has not expressed any opinion on the merits of the matter and there is no perversity in the order passed by the trial Court. Therefore, this Civil Revision Petition is dismissed. Since the GWOP is filed for the custody of the minor child, that too a female child and the proceedings is summary in nature, the Family Court, Tiruchirapalli is directed to dispose of GWOP.No.25 of 2017, within a period of three months and both the parties and counsel are directed to cooperate for the disposal of the said case. No costs. Consequently, CMP(MD)No.2477 of 2020 is closed.

Sd/-

Assistant Registrar (Crl.Side)

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/ /2020

Sub Assistant Registrar(CS)

mj

To

The Family Court, Tiruchirappalli

+1 CC to M/s.N.SATHISH BABU, Advocate (SR-10589[F] dated 09/03/2020)

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AP (19.03.2020) 2P 3C