

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

**THE HON'BLE Ms. JUSTICE R.N.MANJULA**

C.R.P.(NPD).No.3726 of 2016

and

C.M.P.No.18894 of 2016

K.Sivakumar @ Praveenkumar ... Petitioner/1<sup>st</sup> Respondent/Petitioner

Vs.

1.Louis Geetha ... 1<sup>st</sup> Respondent/Petitioner/Respondent

2.The Inspector of Police,  
Ambur Town Police Station,  
Ambur Town,  
Vellore District.

... 2<sup>nd</sup> Respondent/2<sup>nd</sup> Respondent

**PRAYER :** The Civil Revision Petition filed under Article 227 of the Constitution of India, against the petition and order dated 21.04.2016, made in I.A.No.71 of 2015 in G.W.O.P.No.22 of 2011, on the file of the Principal District Court, Vellore and to allow the above C.R.P.

For Petitioner : Mr.G.Vinodhkumar

For Respondents : Mr.P.Chandrasekar for R1

: No appearance for R2

**ORDER**

*(Heard through video conferencing)*

This Civil Revision Petition has been filed by the petitioner challenging the order of the learned Principal District Judge, Vellore dated 21.04.2016 made in I.A.No.71/2015 in GWOP.No.22/11.

2. The petitioner is the wife and the respondent is the husband. The submissions of both sides counsels heard.

3. The impugned order has been passed on a petition filed by the respondent /wife, for an order of interim custody of her two children during the pendency of the Guardian Petition. It appears from the order of the learned The Principal District Judge, Vellore that this petition for interim custody was disposed on an understanding between the parties that the respondent can exercise visitation rights once in a week i.e. on Sunday from 10.00 am to 2.00 pm at Ambur Emmanuel Lutheran Church. सत्यमेव जयते

4. Despite agreed for such an arrangement the petitioner/husband has challenged the order that visitation rights given to the respondent would be detrimental to the interest of the children, because of the different attitude of the respondent.

5. The learned counsel for the respondent submitted that out of the 2

children one had attained majority and another is 17 years old now. The marriage between the petitioner and the 1st respondent got dissolved through an order of the Court.

6. The learned counsel for the respondent submitted that the respondent got married to another person of her choice and living as a separate family. Given the change of circumstances and growth of the children, I feel nothing much to be dealt in this petition now. Even if any problem arises, in view of the visitation rights already granted to the respondent, it is always open to the petitioner to file a petition for modification, before the lower court itself.

Hence, the Civil Revision Petition is **dismissed** and the order dated 21.04.2016, made in I.A.No.71 of 2015 in G.W.O.P.No.22 of 2011, on the file of the Principal District Court, Vellore is confirmed. No costs. Consequently, connected civil miscellaneous petition in C.M.P.No.18894 of 2016, is also closed.

WEB COPY

01.07.2021

Speaking/Non-speaking

Index : Yes/No

Internet : Yes/No

*jrs*

**R.N.MANJULA,J.**

**jrs**

To

1.The Principal District Court, Vellore

2.The Section Officer,  
V.R.Section,  
High Court, Madras.



C.R.P.(NPD).No.3726 of 2016  
and  
C.M.P.No.18894 of 2016

01.07.2021

WEB COPY