



Cont.P.No.737 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2021

CORAM

The Honourable **Mrs.Justice Pushpa Sathyanarayana**

and

The Honourable **Mr.Justice Krishnan Ramasamy**

Contempt Petition No.737 of 2021

Divya Davloor,
S1, Seshadri Manor No.1,
Seshadri Road,
Alwarpet, Chennai – 600 018

... Appellant

VS

Harshvardhan Davloor,
House No.8-2-680/9, New No.1722,
Road No.12, Banjara Hills,
Hyderabad, Telengana

... Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilful and deliberate violation and disobedience of the order dated 07.02.2020 in C.M.A.No.4261 of 2019.

For Appellant : Mr.M.Elayaraja
for Mr.K.Magarajan
For Respondent : Mr.K.P.Sathishkumar

JUDGMENT

(Delivered by Pushpa Sathyanarayana.J.,)

Alleging that the order dated 07.02.2020 passed in C.M.A.No.4261 of 2019

has not been complied with, the present contempt petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>



2. On 07.02.2020, this Court had passed an order granting visitation rights to the respondent - father, in the following terms:

“8. Accordingly, the order passed by the V Additional Family Court, Chennai is modified hereunder:-

(i) The respondent shall come to the house of the appellant and take the child at about 10.00 a.m on every second Saturday;

(ii) He shall thereafter handover the custody back to the appellant on the next day i.e., Sunday at about 6.00 p.m;

(iii) This arrangement shall continue till the disposal of G.W.O.P.No.3662 of 2019.

(iv) The V Additional Family Court, Chennai is directed to dispose of G.W.O.P.No.3662 of 2019 within a period of nine months from the date of receipt of a copy of this judgment.”

3. The only complaint of the contempt petitioner is that, in the month of April, her husband had taken the child and retained him, for more than a day stating that the child was suffering from tooth-ache. It is also stated that, it was informed to her. Being a matrimonial matter, especially concerning a minor child and the child was also having tooth-ache, the respondent father stated that he had retained the child for more than a day for the sake of treatment, which cannot be termed as disobedience of the order of this Court.



4.Both the learned counsels agreed that excepting the said occassion, the order passed earlier was complied with strictly. The respondent also undertakes that he would stick to the time stipulated in the order and would not exceed the time limit already provided by this Court. The parties are directed to co-operate with the disposal of the G.W.O.P. No.3662 of 2019, which is pending on the file of V Additional Family Court, Chennai within the time frame already fixed.

5. With the above direction, the Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rst

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/07/10/2021

To

The V Additional Family Court,
Chennai – 600 104