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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 05TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

A.Nos.2517 of 2021 and 9881 of 2019

in

O.P.NO.1078 of 2019

In the matter of Guardian and
Wards Act 1890

And

In the matter of Minor. Jaya Joshika
born on 06/08/2009 and Minor
Naveedira Jayan born on
21/09/2012.

J.Dhanabalan,
S/o Jayaraman,
No.212, Solaiappan Street,
Old Washermenpet,
Chennai - 600 021.

..Applicant/Applicant/ Petitioner
in all applications

Vs.

Mrs.Vallarasi,
D/o Manoharan,
No.751, 147th Street,
6th Block, Muthamizh Nagar,
Kodangaiyur,
Chennai - 600 118.

..Respondent/Respondent/Respondent
in all applications



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A.No.2517 of 2021:

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Application praying that this Hon'ble Court be pleased to punish the Respondent / Respondent for her willful disobedience of the order passed by this Hon'ble Court in Appln.No.9881 of 2019 in O.P.No.1078 of 2019 dated 27.01.2020.

A.No.9881 of 2019:

Application praying that this Hon'ble Court be pleased to pass an order of interim custody of the Minor daughter Jaya Joshika born on 06/08/2009 aged 10 years and Minor son Naveedira Jayan born on 21/09/2012 aged 7 years from Friday 7 P.M to Sunday 6 P.M every week to the applicant herein till the disposal of the main petition.

These applications are coming on this day before this court for hearing the court made the following order:

The Applicant herein is the petitioner in the O.P., which is filed for grant of permanent custody of the minor daughter Jaya Joshika born on 21.09.2012 aged 10 years and minor son Naveedira Jayan born on 06.08.2009 aged 7 years to the petitioner herein. The Application in



disobedience of the order passed by this Court in A.No.9881 of 2019 in O.P.No.1078 of 2019 dated 27.01.2020.

2.Earlier this Court on 27.01.2020, has passed the following directions in A.No.9881 of 2019;

“(i)The applicant shall be entitled to visitation rights every fortnight on Sundays.

(ii)For this purpose, the applicant shall pick up the minor children from the respondent's house at 09.00 AM every first and third Sunday of each month and return the children to the mother at her residence by 06.00 PM on the same date.

(iii)This interim arrangement shall continue until conclusion of the Mediation proceedings.”

3.Notice was ordered by this Court and Mr.P.Parthipan, leaned counsel has entered appearance for the respondent and would submit that the earlier order passed by this Court on 27.01.2020 regarding the visitation rights, has not been complied with by the respondent/mother, which is willful disobedience and has come up with the present Application to punish the respondent/mother.

4.This Court has gone through the entire averments contained in



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respondent for her willful disobedience. This Court is not satisfied with the reasons stated in the affidavit filed in support of the Application.

Accordingly, the Application stands dismissed.

5. Post the other Application for hearing on 26.08.2021.

Sd/.V.P.N.J.
05.08.2021

//Certified to be a true copy//

Dated this the day of 2021

SU.24.08.2021 COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.