

A.No.4032 of 2021 in
O.P.No.336 of 2021

ABDUL QUDDHOSE, J.

This application has been filed by the petitioner / father to permit him to be with his children between 10.00 am and 9 pm on 14.11.2021 which is the birthday for M.Sivabalan, his son.

2. This Court by its earlier order dated 11.08.2021 granted visitation rights to the applicant / petitioner /father to have custody of the children on every Sunday between 10.00 am and 5.00 pm.

3. Notice in this application has been duly served on the respondent and the respondent is also represented by a learned counsel.

4. This Court is of the considered view that the request made by the petitioner in this application seems to be reasonable. But however, is of the considered view that since the petitioner was granted visitation rights earlier by this Court only for seven hours, the petitioner/father cannot be granted visitation rights on the birthday of M.Sivabalan, the son of the petitioner for more than seven hours and it can be restricted only for seven hours.

5. Learned counsel for the respondent would submit that it will be difficult for the respondent to handover the interim custody between 10 am and 9 pm.

6. The petitioner/father has sought for modification of the timings only on 14.11.2021 which is the birthday for one of the children namely M.Sivabalan and he has not sought for modification in respect of future visitation rights. Therefore, this Court is of the considered view that as observed earlier, the request made by the petitioner/father is reasonable. But however, extended timings sought for by the petitioner / father cannot be granted and the timings shall be restricted only for seven hours as granted earlier by this Court on 11.08.2021 which shall continue after 14.11.2021.

7. In the result, the visitation rights is granted to the petitioner/father to have interim custody of the children M.Sivabalan and M.Sivadhanvanthika on 14.11.2021 between 2 pm and 9 pm. The respondent shall handover the children to the petitioner at 2 pm at the place as fixed in the earlier order dated 11.08.2021 and the petitioner shall positively without fail return back the children at the very same place, he had taken the interim custody of the children to the respondent at 9 pm on 14.11.2021 itself.

8. It is made clear that thereafter, the conditions regarding the visitation rights granted by this Court on 11.08.2021 in Application No.1801 of 2021 shall continue.

9. In terms of the above, this application is disposed of.

11.11.2021

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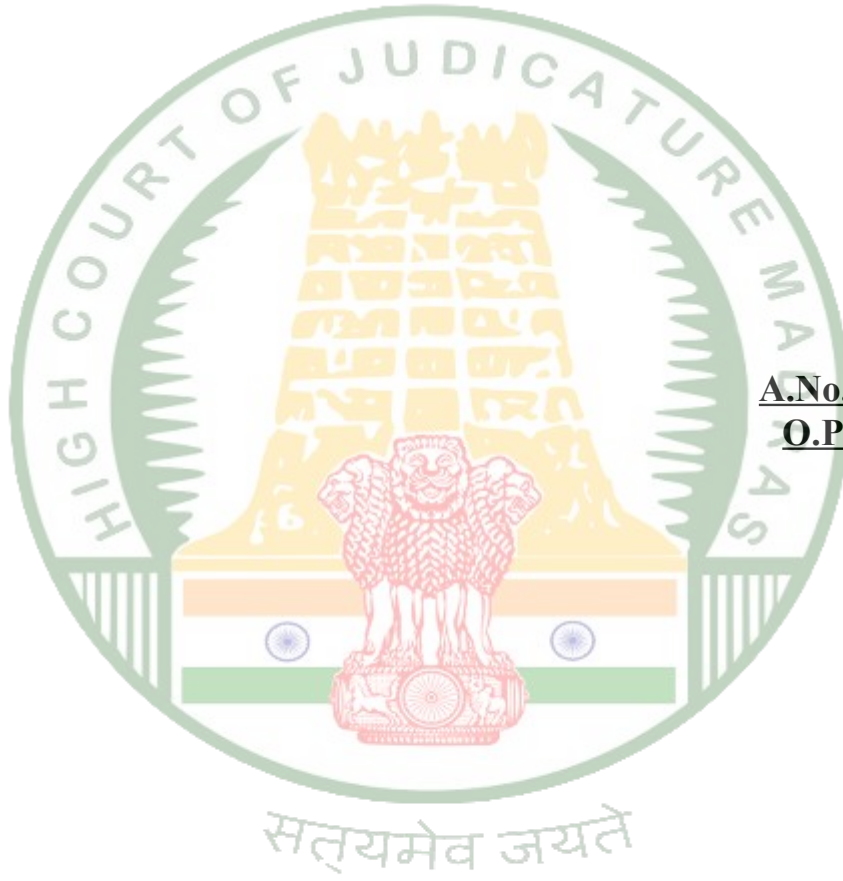
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