

A.No.2097 of 2017
and O.P.No.199 of 2017

R.PONGIAPPAN, J.,

The petitioner in O.P.No.199 of 2017 has filed this application under Order XIV Rule 3 of the Original Side Rules read with Section 12 of the Guardian and Wards Act, 1890, praying to grant visitation rights for his minor daughter, namely, A.Sharlana, presently in the custody of the respondent.

2. In spite of repeated adjournments, the respondent has not appeared before this Court.

3. The applicant / petitioner is the father of the minor child. The marriage between the applicant and the respondent was solemnised on 29.01.2012 at Rosary Church, Town Hall Road, Madurai, as per Christian rites and customs. Due to the wedlock, the respondent gave birth to one girl child, namely, A.Sharlana, now aged about 4 years and 3 months. After some time, due to difference of opinion, the respondent left the matrimonial home on 01.10.2014 and joined with her parents. Only in the said

circumstances, the applicant herein has filed this application, for the relief stated supra.

4. The contention of the applicant is that, being the father, he is always having the right to visit his child, but in spite of so many efforts taken by him, the respondent has refused to show the minor child. Therefore, the applicant is before this Court, and prayed to grant some visitation rights.

5. On the other hand, after entering into appearance, for the past 2 years, the respondent has not appeared before this Court, either through virtually or physically for submitting her case in respect to this application. No doubt, the applicant being the father of the minor child, he is entitled to see his daughter for developing bondage between them. However, the learned counsel appearing for the applicant would submit that if the visitation rights, is granted once in a month it would sufficient to the applicant.

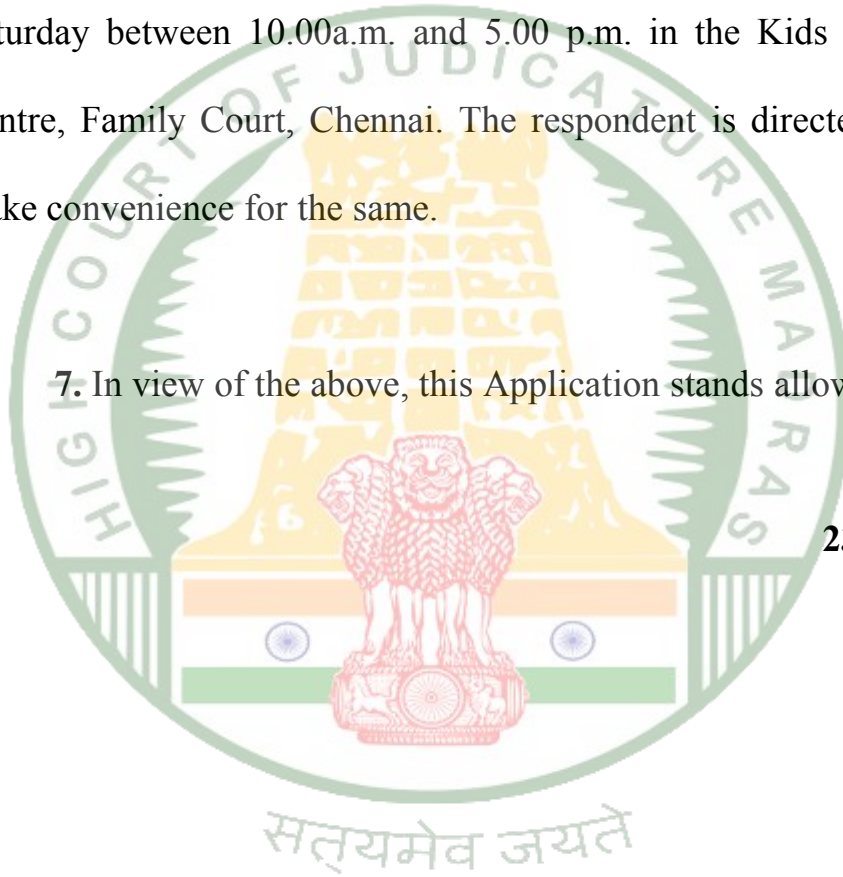
6. Accordingly, by considering the submissions made by the learned counsel appearing for the applicant, this Court is passed the following order;

[i] The applicant / father is permitted to see his minor child once in a month particularly, on 1st week of every Saturday between 10.00a.m. and 5.00 p.m. in the Kids Care Centre, Family Court, Chennai. The respondent is directed to make convenience for the same.

7. In view of the above, this Application stands allowed.

23.02.2021

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