

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT :

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

CIVIL MISCELLANEOUS APPEAL NO. 2784 OF 2018

P.Saravvana kumar

... Appellant / Petitioner

Vs.

1.R.C.Sathya Priyanga

2.Minor.S.Magizhan

(Represented by mother R.C.Sathya Priyanga)

... Respondents / Respondents

Prayer :-

Civil Miscellaneous Appeal filed under Section 47 (C) of G & w Act) against the order dated 22/10/2018 made in G.W.O.P. No.226 of 2016 on the file of the Principal District Judge, Erode.

Decree :-

This Civil Miscellaneous Appeal coming on for hearing Wednesday 24 th day of November 2021 of perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mrs.D.Geetha, Advocate for Mr.D.Divakaran, Advocate for the Appellant and Mr.S.Parthasarathy, Advocate for the Respondent the case and having stood over for consideration till this day, this court while allowing the appeal with modification the doth order and decree as follows :-

- 1.That the custody of the child should remain with the mother herein/respondent until the minor son attains the age of majority.
- 2.That the appellant herein/respondent is entitled for visitation rights of the child at least once in a month.
- 3.That the appellant herein/petitioner be and hereby is permitted to visit the minor son on the first Sunday of every month between 10.00 a.m.,and 5.00 p.m., during which the

respondent shall hand over the custody of the child to the appellant.

4. That the appellant shall take the custody of the child for a week without the interference of the respondent or his family members during the summer holidays.
5. That the above said arrangement clause (2 to 4) shall continue till the minor child attains majority.
6. That there be no costs in this civil miscellaneous appeal.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge,
Erode at Gobichettipalayam.
2. The Subordinate Judge,
Sathyamanagalam.
3. The Principal District Judge,
Erode.

Copy to:

The Section Officer,
VR Section, High Court, Madras.

+4ccs to Mrs. Geetha, Advocate, S.R.Nos. 29991, 29992

+2ccs to Mr. S. Parthasarathy, Advocate, S.R.Nos. 29528, 29529

DATED : 28.04.2022

DECREE

CMA.No.2784 of 2018

Allowing the Civil Miscellaneous Appeal against the Judgment and Decree dated 22/10/2018 made in G.W.O.P.No.226 of 2016 on the file of the Principal District Judge, Erode, etc., as stated therein.

KV(CO)
UMA(16/06/2022)