



CRP(NPD)(MD)No.1829 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1829 of 2021 and
CMP(MD) No.9826 of 2021

J.Jalika Jubeen

... Petitioner

Vs

F.Sifayath Ahamed

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 04.09.2021 in I.A.No.85 of 2020 in GWOP No.103 of 2020, on the file of the Principal District Judge, Thanjavur.

For Petitioner : Mr.M.Maria Vinola

For Respondent : Mr.P.M.Vishnuvardhan

ORDER

This Civil Revision Petition is arising out of the order passed by the learned Principal District Judge, Thanjavur in I.A.No.85 of 2020 in GWOP No.103 of 2020, dated 04.09.2021.



CRP(NPD)(MD)No.1829 of 2021

WEB COPY

2.The respondent has filed an application in G.W.P.No.103 of 2020, before the Principal District Judge, Thanjavur for custody of child. Pending GWOP, he has also taken out an application under Section 12 of GWOP Act praying to permit the visitation right of the minor child for weekly twice till the disposal of the main GWOP. The said application was allowed by an order dated 04.09.2021, directing the petitioner to ensure the presence of the minor child before the District Legal Services Authority, Thanjavur on 1st and 4th Saturday of every month at 10.00a.m and the respondent herein was also permitted to see and spend time with the child from 10.00 a.m to 2.00 p.m. A further direction was also issued to the District Legal Services Authority to ensure the visitation right to be availed by the respondent by making arrangement at the District Legal Services Authority. Aggrieved over the same, the present Civil Revision Petition is filed.

3.Today (17.06.2022), when this Civil Revision Petition is taken up for hearing, the learned counsel appearing for the petitioner



CRP(NPD)(MD)No.1829 of 2021

confines his relief that instead of producing the child before the District Legal Services Authority, Thanjavur, the petitioner is willing to produce the child before the District Legal Services Authority, Kumbakonam. The petitioner claims that both the petitioner as well as the respondent are residing only at Kumbakonam and it will be convenient for her to produce the child before the District Services Legal Authority, Kumbakonam, instead of District Legal Services Authority, Thanjavur.

4.The learned counsel appearing for the respondent submits that even after the order of the Court, the petitioner has not produced the child for not even a single time before the District Legal Services Authority, Thanjavur.

5.Heard the learned counsel on either side and also perused the materials placed on record.

6.Since it is reported that both the petitioner and the respondent are the residents of Kumbakonam, it will be convenient for both the



CRP(NPD)(MD)No.1829 of 2021

petitioner and the respondent, if the child is produced before the District Legal Services Authority, Kumbakonam. Hence, the order of the trial Court is modified to the extent that the petitioner is permitted to produce the child before the District Legal Services Authority, Kumbakonam, instead of District Legal Services Authority, Thanjavur. All other conditions are in tact as per the order of the trial Court. Insofar as the grievance of the respondent that the petitioner has not even produced the child for a single time is concerned, the respondent is at liberty to work out his remedy before the concerned Court. No costs. Consequently, connected Miscellaneous Petition is closed.

17.06.2022

Index : Yes / No.

Internet : Yes / No.

vrn

To

The Principal District Judge, Thanjavur.



WEB COPY



CRP(NPD)(MD)No.1829 of 2021

B.PUGALENDHI, J.

vrn

Order made in
CRP(PD)(MD)No.1829 of 2021

17.06.2022