



CRP(PD)(MD)No.2394 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2394 of 2022
and CMP(MD)No.11585 of 2022

Arunachalam

... Petitioner

versus

Selvaraj

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 11.11.2022 passed in I.A.No.1 of 2021 in G.W.O.P.No.287 of 2021 on the file of the learned Additional District and Sessions Judge, Tenkasi.

For Petitioner : Mr.V.Kathirvelu
Senior Counsel
for M/s.K.Jeyamohan

For Respondent : Mr.Jothi Basu

ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 11.11.2022 passed in I.A.No.1 of 2021 in G.W.O.P.No.287



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of 2021 on the file of the learned Additional District and Sessions Judge, Tenkasi.

2. The learned Senior Counsel appearing for the petitioner submits that the petitioner herein is the father of minor children, namely, Ananya and Sivamurugavel, aged about 7 years and 5 years respectively. The respondent is the maternal grandfather of the minor children. The petitioner's wife committed suicide in her parental home in the year 2019 and after that, the relationship between the family members of petitioner and the respondent got strained. Thereafter, the respondent herein has filed G.W.O.P.No.287 of 2021 before the learned Additional District and Sessions Judge, Tenkasi, seeking custody of the minor children. Pending the above petition, he has also filed an application in I.A.No.1 of 2021 seeking visitation rights of minor children. The trial Court, by order dated 11.11.2022, allowed the said interlocutory application, permitting the respondent herein for the custody of the children on every Saturday and Sunday. Aggrieved



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over the same, the petitioner/father has filed the present Civil Revision
Petition.

3. When this Court is about to entertain the Civil Revision
Petition and to grant an interim order, Mr.Jothi Basu, learned counsel,
takes notice for the respondent and submits that this Court can dispose
of the main Civil Revision Petition itself by modifying the order passed
by the Trial Court dated 11.11.2022.

4. Based on the said submission, this Court is about to pass an
order, at that time, the learned Senior Counsel appearing for the
petitioner and the learned counsel appearing for the respondent submits
that let the respondent be permitted to visit the children on every
Sunday, from morning 9.00 a.m. to 12.30 p.m., in a common place,
without affecting their studies. They also suggest the common place as
Balasubramania Temple at Sivagiri from 9.00 a.m. to 12.30 p.m.



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5. Accordingly, the Civil Revision Petition is disposed of. The respondent is permitted to visit the children at Balasubramania Temple at Sivagiri from 9.00 a.m. to 12.30 p.m. Both the petitioner and respondent shall ensure that they are not creating any scene affecting the mind of children. The Temple authority shall facilitate the petitioner and the respondent to have a peaceful time in the temple. This arrangement is made as an interim arrangement pending disposal of G.W.O.P. The trial Court shall endeavour to conclude G.W.O.P.No. 287 of 2021, within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

01.12.2022

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Index : Yes / No.

Internet : Yes / No.

To

The learned Additional District
and Sessions Judge,
Tenkasi.

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B.PUGALENDHI, J.

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