



Cont.P.No.639 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.08.2023**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Cont.P.No.639 of 2023

V.Anusha

... Petitioner

Vs.

B.Krishnan

... Respondent

Contempt Petition is filed under Section 11 of Contempt of Courts Act to punish the respondent herein for wilfully disobeying the order dated 11.08.2022 in C.R.P.No.1824 of 2022 under Section 11 of the Contempt of Court

For Petitioner : Mr.K.Govi

For Respondent : Mr.C.E.Pratap

ORDER

When the matter was taken up today, the respondent has filed an affidavit stating that he had removed himself and his mother from the matrimonial home situated at Flat No.S-1, Second Floor, No.172/50,



Cont.P.No.639 of 2023

Bells Road, Chepauk, Triplicane, Chennai – 600 005, by leaving the children at the maternal grand parent's house situated at the third floor of the building and he also handed over the keys of the flat to them on 31.07.2023, in order to enable the petitioner to come and live with the children.

2. However the learned counsel for the petitioner submitted that in the order dated 15.06.2023 it is directed that the respondent shall inform the date and time during which the petitioner can come to the house where the children are residing at present. The respondent had chosen to hand over the keys to the grandparents who are in the third floor without the knowledge of the petitioner. Whatever may be the understanding of the respondent in complying the order, the fact remains that the respondent had withdrawn himself along with his mother and parents of the petitioner are staying in the third floor of the building. As of now the petitioner had gone into the house and staying with the children.

3. One grievance that is addressed by the petitioner is that the elder child is suffering from parental alienation in view of the long separation from the mother and hence the petitioner is facing problem in handling



Cont.P.No.639 of 2023

the child alone. It is further submitted that the situation is further aggravated by the respondent who keeps on visiting the house even though he had shifted himself to some other place and that spoils the whole purpose of the order that has been passed. However, the learned counsel for the respondent submitted that the respondent is not visiting the house as alleged by the petitioner.

4. It is needless to state that the petitioner and the respondent being advocates are aware of the binding nature of the orders of the Court and its consequences. It is learnt that the petitioner herself has filed a petition in G.W.O.P. No.443 of 2021 before this Court and in which the respondent can seek his right of visitation by obtaining proper order by taking out relevant applications in compliance of the pending orders, if any, passed by this Court in this proceeding or in any other proceedings. As of now the petitioner and the respondent shall not precipitate the issue any further.

5. In view of the above observations, this Contempt Petition is closed.

08.08.2023



bkn

WEB COPY



Cont.P.No.639 of 2023



WEB COPY



Cont.P.No.639 of 2023

R.N.MANJULA, J.

bkn

Cont.P.No.639 of 2023

08.08.2023