



Cont.P. No.442 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Contempt Petition No.442 of 2022

1.Mohammed Sadique
2.Salmas Begum

.. Petitioners

versus

Mohammed Dastageer

.. Respondent

Prayer: Contempt Petition filed to punish the respondent for wilful disobedience of the order of this Court in CMA No.3531 of 2021 dated 23.12.2021.

For the Petitioners : Mr.S.C.Vishwanath

For the Respondent : Mr.M.Devaraj

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.S.C.Vishwanath, learned counsel for the petitioners and Mr.M.Devaraj, learned counsel for the respondent.



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2. The contention of the petitioners is that the order dated 23.12.2021 is not complied with by the respondent..

3. On 14.08.2023, a Division Bench of this court in the present contempt petition passed the following order:

“Pursuant to our directions issued on 11.07.2023, the Superintendent of Police, Puducherry East has filed a report.

2. From the report we are able to gather that the child does not want to even see the maternal grandparents and whenever she is taken to their house she refused to be with them and starts crying.

3. We had also interacted with the female child who is produced in Court before us today. According to her, she does not want to go with the maternal grandparents, since they are abusing her father. Our attempt to persuade the child to go with the maternal grandparents have not been fruitful. She is very clear in her mind that she will not go with them. Considering the welfare of the child we do not want to force anything on the child at this stage. The father however would offer to take the child to a park once in a month at a specified time, so that the maternal grandparents can meet the child there.

4. Considering the said offer, we only direct the father to take the child to Bharathi Park, Opposite to Raj



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Nivas in Puducherry on every Second Saturday around 3.00 p.m. and the maternal grandparents are permitted to see the child there for about an hour, say till 4.00 p.m. They shall not force themselves on the child. We are sure that they will also be alive to the child's feelings. The paternal grandmother of the child shall not accompany the father and the child. This arrangement will continue for the next four months.

5. Post after four months.

6. We appreciate the cooperation of the Superintendent of Police, Puducherry East. We direct the said Officer to depute a Constable to keep watch on the parties during such visits. The husband will inform the Constable the time at which he is going to the park.”

4. It is submitted that the order dated 14.08.2023 is complied with by the parties. It is also submitted by both the parties that the same arrangement be continued.

5. The contempt petition is disposed of in terms of the order dated 14.08.2023 passed in the present contempt petition. There will be no order as to costs.

(S.V.G., C.J.)

(D.B.C., J.)

14.12.2023

Index : yes/no

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THE HON'BLE CHIEF JUSTICE
AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

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