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Cont.P.No.1449 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Contempt Petition No.1449 of 2023

S.Bridget Leena Thangam

..Petitioner

Vs.

D.Pradeep

..Respondent

Prayer: Contempt Petition filed under Section 11 & 12 of the Contempt of Courts Act, 1971 to punish the respondent for violating the order dated 09.04.2019 passed by this Court in O.P.No.71 of 2019, by imposing maximum punishment as contemplated under the Contempt of Courts Act, 1971 by imprisoning him in jail.

For Petitioner : Mr.Praveen Alexander Sathish

For Respondent : Mr.Thomas Alquinas

ORDER

I find that this contempt petition is an abuse of process of Court. This Contempt Petition has been filed complaining that the order of this Court dated 09.04.2019 has been dis-obeyed by the respondent/ husband, who has been given a right of visitation of the child in the



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Family Court premises on the first and third Saturday of every month between 11.00 a.m., and 1.00 p.m.

2. The order was made on 09.04.2019 and it was being complied with till the onset of COVID. Thereafter, it appears that the father was making Zoom calls for the minor child. After the cessation of the effect of the pandemic, it appears that the wife had taken the child to the Family Court Centre on 05.03.2022. According to the wife, on 05.03.2022 the husband had threatened the child and hence the wife had lodged a police complaint. It is also claimed that she has been taking counselling with the Child Psychologist.

3. Notice was issued to the husband pursuant to the order dated 04.07.2023. The husband has filed a response stating that he left for London on 06.03.2022 after certain unpleasant incidents that took place on 05.03.2022 and he is now pursuing his higher education in London. There was no complaint prior to the onset of COVID i.e., between 09.04.2019 and 23.03.2020. It is very clear from the conduct of the wife that this contempt petition is an attempt to browbeat the husband since



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several other cases are said to be pending. I do not see any reason for keeping this contempt petition pending.

4. Hence, this contempt petition is **dismissed**.

31.08.2023

dsa
Index : No
Internet : Yes
Neutral Citation : No
Speaking order



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R.SUBRAMANIAN,J.

dsa

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