



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Cont.P.Nos.1799 & 2777 of 2023

Cont.P.No.1799 of 2023

Ganesh K.P.R.S.

...

Petitioner

versus

Gayathri

...

Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to take cognizance of the contempt committed by the respondent with regard to the order passed by this Court in C.R.P.(PD)No.1310 of 2022 dated 01.07.2022 and punish the respondent for committing and continuing to commit contempt of this Court.

For Petitioner : M/s.K.Sumathi

For Respondent : M/s.S.P.Arthi

Cont.P.No.2777 of 2023

Gayathri

...

Petitioner

versus

Ganesh K.P.R.S.

...

Respondent



Prayer: Contempt Petition filed under Section 11 of the Contempt of Court Rules, praying to issue notice to the respondent for the willful disobedience of the order of this Court dated 01.07.2022 passed in C.R.P.No.1310 of 2022.

For Petitioner : M/s.S.P.Arthi

For Respondent : M/s.K.Sumathi

COMMON ORDER

These Contempt Petitions have been filed by the parties for the alleged disobedience of the order of this Court dated 01.07.2022 passed in C.R.P.No.1310 of 2022.

2. Heard M/s.K.Sumathi, learned counsel for the petitioner and M/s.S.P.Arthi, learned counsel for the respondent.

3. As per the earlier order of this Court dated 30.11.2023, the child [Minor Elamathi] was produced before me and after a long conversation with the child, the child appears to be intelligent and understanding. She has stated valid reasons to be with the company of the mother. However the child misses her brothers, who are in the custody of the father.



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4. In view of the change of circumstances and also taking into consideration of the wishes of the child [Minor Elamathi], I feel the visitation arrangements can be modified to such an extent that “*on one Sunday of a week from 10.00a.m. to 5.00p.m. let the father go and leave the sons at the mother's house and all the 3 children be together and enjoy the mutual company. During the next Sunday, let the mother take the daughter and leave her at the father's house and all the 3 children can spend their time at the father's house*”. This arrangement shall continue for the following alternate Sundays as well. The parties shall have the above visitation rights without making it complicated or uncomfortable to the children in any manner. And they shall keep up the timings as mentioned above without causing anxiety in the mind of the other party.

5. In view of the above observation, I feel nothing much to be considered in these Contempt Petitions and hence, both are closed.

12.12.2023

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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R.N.MANJULA, J.

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12.12.2023