



CRP(MD).NO.598 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CRP(MD).No.598 of 2022

and

C.M.P(MD).No.2489 of 2022

1.Radhakrishnan
2.Shantha
3.Dhiliban

... Petitioners

Vs.

P.Balakrishnan

... Respondent

PRAYER : Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order passed in I.A.No.98 of 2020 in G.O.P.No.35 of 2020 on the file of the Principal District and Sessions Judge, Thanjavur dated 10.02.2022 and dismiss the same by allowing this civil revision petition.

For Petitioners : Mr.S.Sankar

For Respondent : Mr.G.Karnan

ORDER

The present revision petition has been filed by the parents of the wife challenging the order passed by the learned Principal District Judge, Thanjavur, granting visitation rights in favour of the father.



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2. According to the revision petitioners, the father/respondent is involved in the murder of his wife and he has been charge-sheeted and hence, he cannot be permitted to have the visitation rights of his minor son aged 5 years. However, the learned counsel appearing for the respondent contends that, so far charge sheet has not been laid and false allegations are being made as against the father to prevent him from meeting his own son.

3. The learned counsel appearing on either side point out that the arguments in main G.O.P.No.35 of 2020 have been posted on 16.02.2023. Any order that is passed by this Court would affect the rights of the parties in G.O.P.No.35 of 2020.

4. The learned counsel appearing for the respondent/father, on instructions, submits that the interim order in I.A.No.98 of 2020 may be kept in abeyance till the disposal of G.O.P.No.35 of 2020.

5. Considering the aforesaid facts, this Court is inclined to pass the following order:-



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(i) The learned Principal District Judge, Thanjavur, is directed to dispose of G.O.P.No.35 of 2020 on or before **31.03.2023**;

(ii) The interim order dated 10.02.2022 granted in I.A.No.98 of 2020 shall be kept in abeyance till such date;

(iii) The parties shall co-operate for the disposal of Guardian Original Petition and the same shall be disposed of on merits and in accordance with law without being influenced by the observations made by this Court.

6. With the aforesaid observations, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

13.02.2023

Index : Yes / No
Internet : Yes / No
Rmk

To
1.The Principal District and Sessions Judge, Thanjavur.

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R.VIJAYAKUMAR ,J.,

Rmk

Order made in
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Dated:
13.02.2023