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C.R.P. (PD) .No. 1863 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.09.2024

CORAM

THE HONOURABLE Mr. JUSTICE

V.LAKSHMINARAYANAN

C.R.P. (PD) .No. 1863 of 2024

M.Prakash

...Petitioner

Vs.

Dharani. N.V

...Respondent

Prayer: Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.102 of 2021 in H.M.O.P.No.37 of 2021 on the file of the Principal Family Court, Tiruvannamalai.

For Petitioner : Mr.M.Prakash
Party-in-Person.



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For Respondent : Mr. G.Balamanikandan.

ORDER

This Civil Revision Petition arises at the instance of the husband. An interim arrangement for visitation has been entered into between the parties. It is only an interim arrangement, subject to modification, taking into consideration the interest of the minors.

2. It is not in dispute that the minors are in custody of the mother at Thiruvannamalai. The petitioner / father is residing at Chennai. By the interim arrangement arrived at before the Family Court, Thiruvannamalai, the father was permitted to visit the children on second Saturday of every month between 10.30 a.m. to 12.30 p.m. The father feels aggrieved by the same. Hence this revision.

3. Notice was issued in the application and the respondent has entered appearance through Mr.G.Balamanikandan.



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4. Heard the party-in-person and the learned counsel for the respondent.

5. Mr.G.Balamanikandan would state that it is not the intention of the mother to keep the children away from their father. He would state that even to this date, the father is visiting his children on second Saturday of every month and is spending quality time with his children.

6. The party-in-person pleads that he does not get sufficient time to spend with his children and if the time is extended, he would be satisfied. Therefore, he seeks for visitation of the children between 9 a.m. to 7 p.m.



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7. The learned counsel for the respondent / mother would submit that the mother has no objection if the father visits on every Saturday from 10 a.m. to 3 p.m. and also takes them out to spend time instead of being confined to her parental home.

8. Taking into consideration the submission made by the learned counsel appearing for the respondent, the interim order passed by the learned Judge in I.A.No.102 of 2021 in H.M.O.P.No.37 of 2021 dated 14.12.2021 is modified. The petitioner / father will be entitled to take the children to such places at Thiruvannamalai that would be conducive to interest of the children between 10 a.m. to 3 p.m, on every Saturday. The father shall drop his children back at the residence of the mother at 3 p.m.

9. It is made clear that the father will not be entitled to take his children out of the city limits of Thiruvannamalai. Depending upon the manner in which the arrangement works, it is always open to the



parties to make application to modify this arrangement.

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10. Insofar as the school admission is concerned, Mr.Prakash / party-in-person pleads that he has got admission for the children at Amazon School, Thiruvannamalai. Mr.G.Balamanikandan would state that if the father is willing to bear the entire expenses of the education of the children, the wife will have no objection for her three children to get admission in the said school.

11. The mother shall accompany the father to the said school and ascertain if the school is willing to admit the children mid-year. Once the admission is confirmed, the father shall file an affidavit into this Court stating that he will bear all the educational expenses of the children. On filing of such affidavit, the respondent shall permit the children to be admitted in Amazon School, Tiruvannamalai. In case the school refuses admission for this year, then the petitioner shall admit them in the said school for the ensuing year.



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12. With the above observations, the Civil Revision Petition is
disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
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To

The Principal Family Court,
Tiruvannamalai.



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