



WEB COPY

P.B.BALAJI, J

A. No.2610 of 2024

in

OP. No.71 of 2023

This Application is filed to modify the order dated 18.03.2024 passed in A. Nos.1047 & 1048 of 2023 in O.P. No.71 of 2023 by modifying the visitation of the minor child from 10.00 a.m to 05.00 p.m until 31.05.2024 instead of total custody of the minor child to the Respondent father from 13.05.2024 to 31.05.2024.

2. I have called the parties alongwith their minor child on 24.05.2024 at 02.00 p.m in the Chambers. Today, they have appeared alongwith their minor child, who is aged about 9 years old. I had personally interacted with the child privately and I see that the child is comfortable with the mother during the night time, however, she has no reservations to go and reside with her father and paternal grandmother during day time.

3. The contention of the respondent father is that the child is comfortable with him at his residence and only because of frequent calls made by the mother, the child was surfaced and expressed such feelings.



4. After interacting with the child, I am satisfied that the child is clear what she wants. She is absolutely happy to stay with the father during day time, however, at the same time, she is very clear that she wants to stay only with her mother during night time. I found the child to be very smart and intelligent.

5. In view of the same, I am inclined to modify the order dated 18.03.2024. Accordingly, the father shall pick up the child everyday at 08.00 am and drop back the child by 08.00 pm at the mother's residence. This arrangement shall continue from tomorrow i.e., 25.05.2024 until and inclusive of 31.05.2024. It is made clear that the earlier arrangement of the child's visiting hours between 08.00 am to 08.00 p.m on every Sunday shall be restored from 09.06.2024. However, the mother undertakes to compensate the Sunday i.e., 2nd June 2024, on which date she expresses inability to handover the child because of her parents' golden wedding anniversary function.

24.05.2024

rkp



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