



CRP No.2 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.2 of 2024 and
CMP No.18 of 2024

Dr.R.Mithra

... Petitioner

Vs.

Mr.B.Raghavendran

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.4 of 2022 in HMOP No.1766 of 2015, dated 06.07.2023 by the V Additional Judge, Family Court, Chennai.

For Petitioner

: Mr.G.Ranganathan

ORDER

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This Civil Revision Petition has been filed to set aside the order passed in I.A.No.4 of 2022 in HMOP No.1766 of 2015, dated 06.07.2023 by the learned V Additional Judge, Family Court, Chennai.

2. The petitioner herein is the respondent in I.A.No.4/2022 in HMOP.No.1766/2015 and the above petition was filed by the respondent herein before the Family Court, seeking permission to visit his daughter namely R.Sainethra on every Saturday from 10.00 a.m. to 12.00 noon at Anna Nagaror Ampa Skywalk Mall or any other common place, that may chosen by the petitioner herein. The above petition was allowed, permitting the respondent to visit his daughter twice in a month on the first and third Saturday of every month from 10.00 a.m. to 12.00 noon at the Children Care Centre attached to the Family Court, Chennai. Challenging the above order, this civil revision petition has been filed.

3. Heard the learned counsel for the petitioners and I have perused the



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materials on record.

4. On perusal of the records, it reveals that the respondent herein had filed HMOP No.1766/2015 to dissolve the marriage and the petitioner herein also filed maintenance petition seeking maintenance for herself and her daughter. The main contention of the petitioner is that, the respondent has deserted the petitioner for the past 12 years, and without any care about the female child for all these years, all of a sudden, now he has filed the visitation petition, without any reason. Further, the learned counsel for the petitioner contended before this court that the child R.Sainehra is a minor and she is afraid of her father and hence, she refused to see her father. But, it cannot be a ground to deny the visitation right, especially when the minor child is with the mother altogether. The respondent being the father of the child, he is entitled to visit his daughter. Therefore, the learned Judge has rightly allowed the petition, as stated supra, and I do not find any infirmity in the order passed by the Trial Court.

5. In fine, this Civil Revision Petition is dismissed and the impugned



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order passed by the Trial Court is confirmed. Consequently, connected miscellaneous petition is closed. No costs.

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Index: Yes/No
Internet: Yes/No
mst

To

V Additional Judge, Family Court,
Chennai.



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V.SIVAGNANAM, J.,

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