



C.R.P.(MD)No.2337 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2337 of 2024

and

C.M.P.(MD)No.13253 of 2024

S.V.K.Thenmozhi

... Petitioner / Petitioner / Respondent

Vs.

S.Arulmani

... Respondent / Respondent / Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 14.08.2024 made in I.A.No.4 of 2024 in H.M.O.P.No.37 of 2024 on the file of the Family Court, Karur and allow the civil revision petition.

For Petitioner : Mr.I.Velpradeep

For Respondent : No appearance

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ORDER

Heard the learned counsel for the revision petitioner. The respondent has been served and his name is printed in the cause list but he has not chosen to enter appearance.



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2.The respondent and the petitioner got married on 26.11.2020. A male child was also born through the wedlock. The relationship between the parties appears to have come under strain. The respondent herein filed H.M.O.P.No.37 of 2024 on the file of the Family Court, Karur for restitution of conjugal rights. In the said HMOP, the respondent filed I.A.No.4 of 2024 seeking visitation rights. The said IA was allowed on 14.08.2024. The respondent was granted visitation rights in respect of the child. The child is to be brought to Velliyanai Muniyappan Kovil on every Sunday and the respondent herein was permitted to be with the child from 09.00 am to 12.30 pm. This order appears to be a sought of consent order.

3.The learned counsel for the revision petitioner states that the petitioner is presently working at Coimbatore and that the child is now with her. It is difficult for the petitioner to travel 55 Kms to Velliyanai Muniyappan Kovil to carry the child. The petitioner also pleads that the petitioner is given weekly holiday only for one day.

4.The difficulties expressed by the petitioner can very well be appreciated. I, therefore, modify the impugned order. The petitioner is directed



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to take the child to Velliyanai Muniyappan Kovil on the first Sunday of every month. The respondent can be with the child from 09.00 am to 12.30 pm. It is open to the respondent herein to move the Family Court, Karur seeking permission to see the child on every Sunday at Coimbatore. I grant liberty to the respondent to file an appropriate IA before the Family Court, Karur in this regard and it is open to the learned Family Court Judge, Karur to pass an appropriate order de hors the order now passed in this civil revision petition.

5.The impugned order is modified and the civil revision petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

22.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ias

To:

The Family Court,
Karur.



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G.R.SWAMINATHAN, J.

ias

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