



**CRP(MD).No.2602 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 14.02.2024**

**CORAM :**

**THE HON'BLE MR JUSTICE G.ILANGOVAN**

**CRP(MD).No. 2602 of 2023 and**  
**CMP(MD).No.13590 of 2023**

**Kalaiselvi**

**Petitioner**

**Vs.**

**Shanmuga Sundaram**

**Respondent**

**PRAYER :** Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order passed in I.A.No.66 of 2022 in HMOP.No.120 of 2022, dated 16.06.2023 on the file of the Additional Sub Court, Kumbakonam.

**For Petitioner : Mr. M.Maria Vinola**

**For respondent : Mr.E.Balasubramanian**

**ORDER**

This Civil Revision Petition is filed against the fair and decreetal order passed in I.A.No.66 of 2022 in HMOP.No.120 of 2022, dated 16.06.2023 on the file of the Additional Sub Court, Kumbakonam directing the petitioner to bring the child twice a month before the trial



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Court or before the Taluk Legal Services Authority, Kumbakonam, so that the respondent may visit the child.

2. Now, the grievance of the petitioner is that her child is only four years old and she felt asleep at the time of exchange between the parties and that was also admitted by the respondent. Because of that, the petitioner is not in a position to take the child to the Additional Sub Court, Kumbakonam for seeing father. Hence, seeks modification.

3. The learned counsel appearing for the respondent submitted that the order of the trial Court is not properly complied with by the petitioner.

4. Considering the fact that the child is only four years old and that there was a difficulty to the petitioner to bring the child to the Taluk Level Services Authority, Kumbakonam twice a month, this Court is inclined to modify the order passed by the Additional Subordinate Judge, Kumbakonam.

5. Accordingly, the order passed by the Additional Subordinate



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Judge, Kumbakonam is modified to the effect that the petitioner shall bring the child once in a month i.e., on first Sunday of every month at 11.00 am to the office of the Taluk Legal Services Authority attached to the District Munsif– Cum – Judicial Magistrate Court, Thiruvidaimaruthur.

5. With the above modification, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

**14.02.2024**

Internet : Yes / No  
Index : Yes / No  
Speaking / Non Speaking order  
trp

To

1. The Additional Sub Court, Kumbakonam.
2. The District Munsif– Cum – Judicial Magistrate Court, Thiruvidaimaruthur.



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G.ILANGOVA, J.

Trp

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