



WEB COPY

CONT P No. 3866 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

**CONT P No. 3866 of 2024 in
O.P. No.552 of 2023 and O.A. No.765 of 2023
and O.P. No.597 of 2023**

1. Mr. U.Uma Sekaran Uma Karthik
S/o. Uma Sekaran, No. 48, B-2,
Mahbubani Towers, North Boag Raod,
T-Nagar, Chennai 600 017.

Petitioner(s)

Vs

1. Mrs. Swarnamugi Raghupathy,
No. 12, 1st Main Road, CIT Colony,
Mylapore, Chennai 600 004.

Contemnor(s)

PRAYER: To punish the Respondent for their willful and deliberate disobedience of the Order dated 03.11.2023 of this Hon'ble Court in O.P.No. 552 of 2023 and O.A.No.765 of 2023 and O.P.No. 597 of 2023.

For petitioner: Mr. M.K. Kabir, Senior Counsel

for Mr. S.V. Praveen Rathinam

For Contemnor(s): M/s.S.P.Arthi



ORDER

This Contempt petition has been filed by the petitioner as against the respondent / Contemnor alleging that the respondent has willfully disobeyed the order of this Court dated 03.11.2023 passed in O.P. No.552 of 2023 in O.A. No.765 of 2023 and O.P. No.597 of 2023.

2. According to the petitioner, the respondent filed an Original Petition in O.P. No.552 of 2023 seeking custody and to be appointed as Legal Guardian of the person of minor daughters and the petitioner also filed a petition in O.P. No.597 of 2023 for the same relieves and both the petitions were tagged and this Court passed an order dated 03.11.2023 stating that already agreed upon visitation agreement was to continue. This Court passed an order that “this Court interacted with both the petitioner/ wife and the respondent / husband along with the minor children for a considerable time. After interaction, the respondent / father as well as the petitioner/ mother mutually agreed to continue the earlier visitation arrangements, i.e., two days a week, on Saturday and Sunday between 2 pm. and 7 p.m. in a common place”. In spite of the above order of this Court, the respondent continued to persistently restrict the access of the petitioner to his children. The petitioner is entitled to spend five hours with his children every week end between 2 p.m. and 7 p.m. The respondent



has been feeding false stories and poisoning the minds of his daughters.

Therefore, the actions of the respondent are in violation of the order of this Court and therefore, he filed this petition.

3. The respondent filed a counter denying the alleged disobedience and according to the respondent, she did not restrict the petitioner's interactions with the children and the petitioner alienated himself from the children due to his acts and attitude. He disturbed the children at School and caused a scene on multiple occasions. The petitioner on 18.03.2023 at 8 p.m., suddenly entered into the house of the respondent and attempted to take away the younger daughter with him and the child became frightened at this sudden turn of events and vomited on him in shock as he picked her up and tried to take her away. The respondent has not disobeyed the order and the children were reluctant to meet the petitioner during the week ends and reused to co-operate. Therefore, there is no any willful disobedience and the petition is liable to be dismissed.

4. This Court, after filing of the counter by the respondent, passed an order in this application on 04.11.2025, wherein, in Para 4, held as follows:-

“4. Accordingly, as agreed by both the parties, the following interim order is passed.

(1) The respondent is directed to produce the children at Hotel Chola Sheratan, No.10, Cathedral Road, Chennai,



on every Saturday between 2.00 p.m. to 7.00 p.m.

(2) During such period, the petitioner shall have the custody of the children and is at liberty to take the children either to Mall or any other less crowded place and it is needless to say that the petitioner shall take care of the minor children keeping in mind their health condition. Further the petitioner, after expiry of the period granted by this Court, i.e. @ 7.00 p.m.. is directed to handover the custody of the children to the respondent at the same Hotel without fail”.

Thereafter, the parties are strictly complying the order of this Court. The said arrangement as per the order dated 04.11.2025 shall be continued till the disposal of the main petition. Since both the parties agreed mutually in respect of the visitation rights, there is no any willful disobedience by the respondent, and since already the main petition was posted for recording evidence before the learned Master, the proceedings in the main petition shall go on and ***this Contempt petition is closed.***

17-11-2025

mjs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Mrs. Swarnamugi Raghupathy,
No. 12, 1st Main Road, CIT Colony,



Mylapore, Chennai 600 004.

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P.DHANABAL J.

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