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C.R.P.No.554 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17/3/2025

C O R A M

The Hon'ble **Ms.JUSTICE P.T.ASHA**

Civil Revision Petition No.554 of 2025

A. Roja Priyadharshini ... Petitioner

Vs

K. Madhan Kumar ... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India against the I.A.No.3 of 2023 in F.C.O.P.No.23 of 2022 on the file of the Family Court Judge at Tiruvannamalai.

For petitioner ... Ms.M.Udhayavani

ORDER

Challenging the order passed by the learned Family Judge, Tiruvannamalai, permitting the respondent husband to visit the minor children at the Mediation Centre, Tiruvannamalai on the first Saturday of



C.R.P.No.554 of 2022

every month between 11.00 a.m., and 01.00 p.m., the petitioner/
respondent's wife is before this Court.

WEB COPY

2. Heard Ms.M.Udhayavani, learned counsel for the petitioner.

3. The respondent had married the petitioner, as per the Hindu rites and customs on 30/8/2012 and two children, viz., Durgahasini and Gokulakrishna were born to them on 10/4/2013 and 29/4/2019, respectively. The respondent had gone to Singapore on 13/6/2016 for eking out his livelihood and would visit India once in a year. He has been taking care of the petitioner and children.

4. It is the case of the respondent that from July 2021, the petitioner had refused to speak to him and when he had questioned this attitude, she had candidly informed him that she did not want to continue her matrimonial relationship with him.

5. The petitioner herein had given a false complaint against the respondent's parents and on 26/1/2022, when he had come down to India,



WEB COPY

the petitioner had refused to speak to him and also blocked his number in her mobile. When he went to visit the children, they were not permitted to see him. The Police held an enquiry, wherein, the petitioner had refused to come and live with the respondent and she had also prevented the respondent from seeing the children. Therefore, the respondent has come forward for custody of his children and for an interim custody.

6. Counter was filed by the petitioner herein in F.C.O.P. She would submit that in the year 2018, the respondent came from Singapore to India and they lived happily together at Natrampalli Village. During this period, the respondent was constantly abusing the petitioner and she would further contend that the respondent was giving only a sum of Rs.24,000/- as maintenance to his daughter alone. These amounts are being utilised for discharge of the debt borrowed by the respondent. Ultimately, the learned Judge has granted visitation right to the respondent. Being aggrieved, the petitioner has come forward with the instant Civil Revision Petition.

7. The petitioner herein has not made out any serious allegation against the husband seeking dismissal of the application. The petitioner



C.R.P.No.554 of 2025

P.T.ASHA,J

mvs.

WEB COPY

would question the right of the custody, particularly when the respondent is living abroad and hence, custody cannot be given to him. The learned Judge has also not granted custody, however, permitted the visitation rights on the first Saturday of every month. The petitioner has not given any serious objection about the visitation rights and therefore, I see no reason to interfere with the judgment and decree.

8. In the result, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

17/3/2025

mvs.

Index: Yes/No

Neutral Citation: Yes/No

To

1. The Family Judge, Tiruvannamalai.

C.R.P.No.554 of 2025

4/4