



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

TR.CMP.No.1157 of 2024

& CMP.No.25236 of 2024

C.Sathish Kumar

Petitioner(s)

Vs

A.Libitharani

Respondent(s)

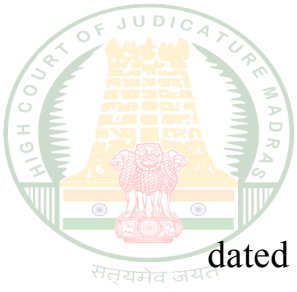
For Petitioner(s) : Mr.S.Marshall

For Respondent (s) : M/s.A.Jasline
for Mr.P.P.Prakash

ORDER

The matter is listed under the caption 'for being mentioned' today.

2.The learned counsel for the respondent mentioned that the last line of paragraph No.5 was inadvertently typed as 'the Family Court shall pass further orders regarding **restitution of conjugal rights of the mother**' instead of 'the Family Court shall pass further orders regarding further **visitation rights of the mother**'.



3. In view of the above, the last line of the paragraph No.5 of the order dated 03.06.2025 is modified as follows:

WEB COPY *'the Family Court shall pass further orders regarding further visitation rights of the mother'.*

4. The learned counsel for the respondent made a mention stating that the order directing to produce the child before the Child Care Counsellor, Family Court, Chennai tomorrow will not be possible, in view of the Government declaring 7th June 2025 as holiday. The learned counsel for the petitioner is not present at the time of calling the matter and even now also he is not present.

5. In view of the above, it is made clear that the respondent need not produce the child tomorrow i.e 07.06.2025 and instead, shall produce the child on third Saturday i.e 21.06.2025. The learned counsel for the respondent, without waiting for Court order, is permitted to communicate the modified portion of the order to the learned counsel for the petitioner by a letter.

6. Except for the aforesaid modifications, the order dated 03.06.2025 remains unaltered in all other respects.

06.06.2025

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Note : The Registry is directed to carryout the aforesaid corrections and issue a fresh copy of the order to the learned counsel for the parties.



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To

- 1.The IV Additional Family Court, Chennai.
- 2.The Child Care Centre, Family Court, Chennai.
- 3.The Subordinate Judge, Gudiyatham, Vellore District.

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TR.CMP.No.1157 of 2024

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C.Sathish Kumar

Petitioner(s)

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A.Libitharani

Respondent(s)

For Petitioner(s) : Mr.S.Marshall

For Respondent (s) : M/s.A.Jasline
for Mr.P.P.Prakash

ORDER

The petitioner seeks transfer of HMOP.No.60 of 2024 pending on the file of the learned Subordinate Judge, Gudiyatham, Vellore District, to be transferred to the file of the Family Court at Chennai.

2.The learned counsel for the respondent fairly submits that she has no objection for the transfer since connected OPs are already pending before the IV and V Additional Family Court, Chennai. The learned counsel for the respondent would however submit that the respondent/mother is not being

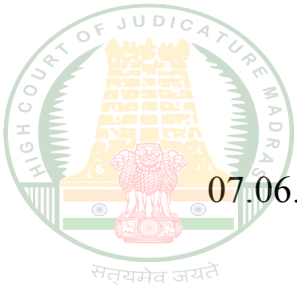


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permitted to see her minor daughter and only after obtaining orders from this Court during the first vacation Court on 09.05.2025, the mother was able to interact with her daughter. The learned counsel for the respondent would further submit that since the matters are now being heard before the Family Court at Chennai, the visitation rights can be given to the mother before the Child Care Centre which is available in the Family Court premises, Chennai.

3.I find force in the submissions of the learned counsel for the respondent. As the mother, the respondent is certainly entitled to not only see but also interact with her minor daughter aged 13 years. She has only briefly met her minor daughter on 09.05.2025 and the mother and the daughter will have to be given sufficient time to interact with each other for the bonding to get better.

4.Therefore, while ordering the transfer application, acceding to the request of the petitioner/husband, transferring HMOP.No.60 of 2024 from the file of the Subordinate Court, Gudiyatham, Vellore District, to the file of the IV Additional Family Court, Chennai, to be tried along with FCOP No.5036 of 2024, the guardian OP which is pending before the V Additional Family Court in OP.No.5566 of 2024 is also *suo moto* ordered to be withdrawn from the file of the V Additional Family Court and transferred to the IV Additional Family Court to be tried along with other two OPs, namely, the dissolution of marriage and the restitution of conjugal rights. In the meantime, the petitioner shall produce the minor daughter on



07.06.2025 at the Child Care Centre, Family Court, Chennai at 10.00 a.m.

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5. On 07.06.2025, the Child Care Officer shall be present and the father shall sit outside the Child Care Centre and the mother and the child shall be given time from 10.00 a.m to 12.00 p.m., to interact with each other. A report shall be filed by the Child Care Officer before the IV Additional Family Court, Chennai and based on the report, the Family Court shall pass further orders regarding restitution of the conjugal rights of the mother.

03.06.2025

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