



CMA(MD). No.1005 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.09.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HONOURABLE Mrs.JUSTICE L.VICTORIA GOWRI

CMA. (MD). No.1005 of 2025

Maheswaran

... Petitioner

Vs

**Gokila,
W/o.Maheswaran,
No.52/1, East
Ramanathapuram,
Dindigul District..**

... Respondent

PRAYER :-Civil Miscellaneous Appeal filed under section 19 of Family Court Act, r/w 47 Guardian and wards Act to set aside the Fair and Decreetal order passed in G.W.O.P.No.68 of 2023 dated 30.04.2024 on the file of the Family Court, Dindigul.

For Appellant : Mr.V.Illanchezian
For Respondent : Mr.V.Muthumani



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JUDGMENT

WEB COPY (Judgment of the Court was delivered by P.VELMURUGAN,J.)

The Civil Miscellaneous Appeal is directed against the fair and decreetal order passed in G.W.O.P.No.68 of 2023 dated 30.04.2024 on the file of the Family Court, Dindigul.

2. The appellant is the husband and the respondent is the wife and they were blessed with a male child and the child is aged 6 years. Due to matrimonial discard, the respondent got divorce and the child is with the natural guardian mother. The appellant had approached the trial Court claiming interim custody of the child by filing GWOP No.68/2023.

3. Though the appellant has filed GWOP No.68/2023 on the file of the family Court, Dindigul, claiming custody of the minor child, the said petition was dismissed by the Court below. However, the Court below granted only visitation rights of 2 hrs. between 10 am and 12 pm., every fortnight, ie., alternative Saturdays at Kottaimariamman Temple, Dindigul. Aggrieved by the said visitation rights, the appellant/husband is before this Court with this appeal.



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4. It is seen from the records that the respondent/wife got divorce and the relationship of the appellant and the respondent is not in dispute. The child is hardly 6 years old and the family Court, while dealing with the petition for guardianship, has given reasons for not granting the relief of interim custody.

5. Considering the facts and circumstances of the case and considering the age of the child, this Court is not inclined to interfere with the order passed by the family Court regarding the relief of interim custody. However, considering the age of the child, this Court is inclined to modify the duration of visitation, ie., between 10 a.m. and 12 p.m. Accordingly, the appellant shall visit his child between 10 a.m., and 2 p.m., every fortnight ie., alternative Saturdays at Kottaimariamman Temple, Dindigul.

6. With the above modification, the Civil Miscellaneous Appeal stands disposed of. No costs.

[P.V.,J]

[L.V.G.,J]

22.09.2025

NCC : Yes/No
Index : Yes/No
RR

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To

1.The Family Court, Dindigul.

2.The VR Section

Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.
AND
L.VICTORIA GOWRI, J.

RR

ORDER
IN
CMA.(MD) No.1005 of 2025

Date : 22.09.2025