



WEB COPY

CMP No. 8686 of 202
CRP No.4056 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CMP No. 8686 of 2026 in
CRP No.4056 of 2024**

J.K.Merlin, D/o. John Kennadi,
No. 1A/4, Kamarajar Street,
KK Pudur, Saibaba Colony,
Coimbatore 641 043.

..Petitioner(s)

Vs

R.Divakaran, S/o.Remigius,
Poriyalur Nagar 2nd Street,
Thiruppalai, Madurai.

..Respondent(s)

Prayer: This civil miscellaneous petition is filed to modify the order dated passed by this Court in CRP.No.4056 of 2024 insofar as the visitation timings are concerned, by suitably regulating the visitation to a limited duration of one hour on the first Saturday of every month in a phased and child-sensitive manner, considering the welfare and psychological well being of the minor child, and direct the learned Principal District Judge, Coimbatore District to dispose of DOP.No.140 of 2022 within a time frame as may be fixed by this Honble Court.

For Petitioner(s):

Mr. R.Anbalagan

For Respondent(s):

Mr. K.T.S.Sivakumar
for Mr. C.M.Arumugam



ORDER

This petition has been filed seeking modification of the order passed by this court in CRP No.4056 of 2024, dated 19.12.2025.

2. The prayer in this petition reads as follows:

“ This court may be pleased to modify the order dated passed by this Court in CRP.No.4056 of 2024 insofar as the visitation timings are concerned, by suitably regulating the visitation to a limited duration of one hour on the first Saturday of every month in a phased and child-sensitive manner, considering the welfare and psychological well being of the minor child, and direct the learned Principal District Judge, Coimbatore District to dispose of DOP.No.140 of 2022 within a time frame as may be fixed by this Honble Court.”

3. It is seen from the affidavit filed in support of the petition and also connected papers, subsequent to the order impugned in the main revision petition, the learned Trial Judge, entertained a petition in I.A.No.2 of 2023 in D.O.P.No.140 of 2022 filed by the petitioner for modification of the previous order passed in I.A.No.1 of 2022 in DOP No.140 of 2022, dated 13.12.2022 and the same was allowed by modifying earlier order granting visitation right to the father of the minor child by restricting the interaction time to one hour. He was permitted to have interaction with the child on the first Saturday of every



English Calendar month for one hour from 4.00 p.m. to 5.00 p.m. The above said order passed in I.A.No.2 of 2023, dated 07.04.2025 was not brought to the notice of this court, when the main civil revision petition was disposed of on 19.12.2025 by both the parties.

4. The learned counsel for the petitioner would submit that the child is emotionally attached with the petitioner/mother and permitting the respondent/father to have interaction with child suddenly for prolonged hours, will have impact on the psychological well being of the child.

5. Taking into consideration the said submission made by the learned counsel for the petitioner and also the order passed by the trial Judge in I.A.No.2 of 2023, dated 07.04.2025, this court is inclined to modify the order passed in CRP No.4056 of 2024, dated 19.12.2025 as follows.

i) The petitioner is directed to produce the child in the first Saturday of every month in the District Legal Services Authority Building, Coimbatore by 2.00 p.m.. The respondent shall be allowed to have interaction with the child from 2.00 p.m. to 4.00 p.m. In case, the first Saturday is not a working Saturday in particular month, the child should be produced in the next working Saturday in that month. This arrangement shall continue till the disposal of the main original petition.



6. The learned counsel for the petitioner also seeks direction to the trial court for disposal of D.O.P.No.140 of 2022, within a time frame.

7. The petitioner, till date, has not complied with the order, giving visitation right to the respondent. In such circumstances, this court is not inclined to give any direction to the trial court to dispose of the main original petition in a time bound manner. Further, without knowing the workload and pendency status, this court is not inclined to fix any time limit for disposal of the main original petition. If the petitioner complies with the direction issued in this civil revision petition as modified in CMP No.8686 of 2026, it is open to her to seek expeditious disposal of the main original petition before the learned trial judge.

8. With the above observation, this petition is allowed as indicated above.

29-04-2026

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To

The Principal District Judge,
Coimbatore District.

Copy to

The Member Secretary,
District Legal Services Authority,
Coimbatore.



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S.SOUNTCHAR, J.

MST

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