



WEB COPY



A No. 4638 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**A No. 4638 of 2025 in
O.P.No.596 of 2023**

S.Shankar Ramakrishnan
S/o.S.Seshagiri,
No.89, 10th Street,
Venkateswara Nagar,
Kottivakkam,
Chennai - 600 041.

..Applicant(s)

Vs

Champa Ganesh @ Jambagalakshmi
W/o.Shankar, A 502, Greenwood, House of
Hiranandani, Egattur, Pudur,
Chengalpattu 603 103.

..Respondent(s)

Prayer: Application filed under order XIV Rule 8 of the Original Side Rules r/w Section 151 of CPC to modify the order dated 27/11/2023 in A.No.4987 of 2023 and permit the applicant interim custody of the child every weekend between 9.00 am on Saturday until 6.00 pm on Sunday every week until further orders to the Applicant herein.

For Applicant(s): Mr.Guru Dhananjay

For Respondent(s): Mr.N.Sivaprakash

ORDER

This application has been filed by the applicant to modify the order passed by this Court in A.No.4987 of 2023 dated 27.11.2023.



A No. 4638 of 2025

WEB COPY

2. According to the applicant, he is the petitioner in the main Original Petition and father of the minor child and the respondent is the mother of the minor child and now the minor child is under the custody of the respondent. The main Original Petition has been filed by the applicant / petitioner for appointment of guardian and custody of the minor child, namely, 'Madhavi C.S.' Already the applicant, filed an application in A.No.4987 of 2023 for interim visitation rights and the same was ordered on 27.11.2023 by permitting the applicant / petitioner to visit the child on every Sunday at the respondent parents house between 10.00 a.m. to 1.00 p.m., and the arrangement was permitted to continue until further orders. The minor child is currently residing at grand parents house on the mother's side/respondent and they have the benefits of being in close proximity with the minor child, whereas the grand parents on the father's side have no access to the minor child. Further, the grand parents of the father's side have no occasion to visit the child. Therefore, the earlier order may be modified by permitting interim custody of the child to the applicant on every weekend between 9.00 am on Saturday until 6.00 p.m., on Sunday.

3. The respondent filed counter denying the averments made in the affidavit and stated that whenever the applicant visits to have the custody of



A No. 4638 of 2025

the child, the child becomes very panic, as the applicant used to harshly deal with the child and had been speaking ill about the respondent and her parents. The parents of the applicant / petitioner did not take any steps for visiting the child. Further, the respondent is residing at a separate apartment along with the child and the parents of the respondent are residing in a separate apartment, within the same community. The child is already facing difficulty during visitation of applicant or his family and the child is not able to concentrate on educational activities, therefore, the present application is liable to be dismissed.

4. Heard the learned counsel on either side and perused the entire documents placed on record.

5. This Court, on earlier occasion passed orders on 27.11.2023 by permitting the applicant to visit the child at respondent parents house between 10.00 a.m., and 1.00 P.M., and the same was permitted to continue until further orders. Now the applicant filed the present application to modify the said order on the ground that the applicant's parents are not able to visit the child, if so, the applicant can approach this Court seeking permission to visit the child by the grand parents, viz., applicant parents. Without seeking such a prayer, the present application seeking for modification of the earlier order



A No. 4638 of 2025

dated 27.11.2023 without any grounds. However, already this Court granted interim order in favour of the applicant / petitioner, now the grievance of the applicant / petitioner is, his parents also have to visit the child. Therefore, this Court is of the opinion that it is appropriate to allow the grand parents to visit the child along with the applicant on every first Saturday of English Calender Month between 10.00 a.m., and 1.00 P.m., at the respondent parents house.

With the above said observation, this Petition is disposed of.

19-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssd



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P.DHANABAL, J.

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