

Diviya Vs D.Muthukumar

Diviya Vs D.Muthukumar

SooperKanoon Citation : sooperkanoon.com/1437198

Court : Chennai

Decided On : Apr-08-2026

Judge : Honourable Mrs.Justice T.V.Thamilselvi

Appeal No. : CRP/1969/2026

Appellant : Diviya

Respondent : D.Muthukumar

Judgement :

T.V.THAMILSELVI, J.

These matters were taken up for hearing under the caption For Being Mentioned today at the instance of the learned counsel for revision petitioner. 2.The learned counsel for revision petitioner submitted that this court by an order dated 08.04.2026 disposed of the above Civil Revision Petitions. However, he would submit that in the cause title, the fathers name of revision petitioner was mentioned as Vaasou, instead of mentioning as Vassou. He would also submit that in para 5 of the orders, the children of petitioners are studying in 10 th and 8th standard, but it was mentioned as 8th and 7th standard. Therefore, he prayed to modify the same and issue fresh order copy.

3. Considering his submissions, Registry is directed to substitute

the fathers name of revision petitioner in the cause title of the order viz., D/o. Vaasou as D/o.Vassou and also the words in page 4, para 5 at the 2nd line of the order viz., (i) Muveega, who is studying 8 th standard and (ii) Male child Said Vidith, who is studying 7th standard as (i) Muveega, who is studying 10th standard and (ii) Male child Sai Vidith, who is studying 8th standard.

4. Registry is directed to incorporate above modification in the

Order of this Court passed in C.R.P.No. 1969 & 1973 of 2026 dated

08.04.2026 and issue fresh order copy to the learned counsel for revision petitioner. 24.04.2026 rpp

T.V.THAMILSELVI, J.

rpp 24.04.2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI CRP No. 1969 of 2026 AND CRP NO. 1973 OF 2026 Diviya D/o. Vaasou, W/o.Muthukumar, Have Come Down To India and Resident of No.81, Thiruvalluvar Salai, Pillaithottam, Saram, Pondicherry-605 013. ..Petitioner(s) Vs D.Muthukumar S/o. Durairaj, No.46, 2nd Cross Street, thirumudi Nagar, Govindasalai, Puducherry ..Respondent(s) CRP No. 1973 of 2026 Diviya D/o. Vaasou, W/o.Muthukumar, Resi at 20, Belstead Road Ipswich, IP2, 8AX United Kingdom permanent Resident of No.81, Thiruvalluvar Salai, Pillaithottam, Saram, Pondicherry-605 013.

..Petitioner(s) Vs

D.Muthukumar S/o. Durairaj, No.46, 2nd Cross Street, thirumudi Nagar, Govindasalai, Puducherry ..Respondent(s) CRP No. 1969 of 2026 To set aside the order dated 28-03-2025 passed in MOP.No.180 of 2025 on the file of the Family Court at Pondicherry in So far as paragraph No.2 (page 3-lines 9 to 11) and paragraph No.7(page No.5-lines 16 to 18) by deleting the same, whereby withdrawing the visitation rights of the Respondent.

CRP No. 1973 of 2026 To set aside the order dated 08-03-2025 passed in National Lok Adalat Case No. 5318 of 2025 by the National Lok Adalat, Puducherry in G.O.P. No. 6 of 2024 on the file of the Family Court at Pondicherry in So far as Clause 2 and 3 is concerned by deleting the same and also by modifying clause 4 by inserting the word Sole Guardian by allowing the present CRP. CRP No. 1969 of 2026 For Petitioner(s): Mr.S.Sai Shankar Mr.A.Murali Mr. A.Ajima

For Respondent(s): Mr.D.Muthukumar (Party-in-person)

COMMON ORDER

(i) CRP No. 1969 of 2026

The above Revision Petitions has been filed to set aside the order

dated 28.03.2025 passed in MOP.No.180 of 2025 on the file of the Family Court at Pondicherry in so far as paragraph No.2 (page 3-lines 9 to 11) and paragraph No.7 (page No.5-lines 16 to 18) by deleting the same, whereby withdrawing the visitation rights of the Respondent.

(ii) CRP No. 1973 of 2026:

The above Revision Petition has been filed to set aside the order

dated 08-03-2025 passed in National Lok Adalat Case No. 5318 of 2025 by the National Lok Adalat, Puducherry in G.O.P. No. 6 of 2024 on the file of the Family

Court at Pondicherry in So far as Clause 2 and 3 is concerned by deleting the same and also by modifying clause 4 by inserting the word Sole Guardian by allowing the present CRP.

2. During the hearing, the petitioner has appeared through Video conferencing since she is working in the United Kingdom and the respondent has appeared in person along with their two children before this Court.

3. The learned counsel for the petitioner and the petitioner would

submit that since the petitioner is working in the United Kingdom and is willing to take care of her children, she wants to take children with her. In view of getting visa, visitation rights of the respondent cannot be allowed, when the 1st petitioner comes to India. Hence, he seeks to modify the

order 28.03.2025 passed by the Family Court, Puducherry. A memo is

also filed by the learned counsel for the petitioner accordingly.

4. The respondent would submit that he has no objection to send the children

to the custody of the petitioner taking into consideration the welfare of children and further submitted that this Court may grant the order as per the request of the petitioner.

5. This Court enquired with the Children, ie. Female Child (i) Muveega who is

studying 8th standard and (ii) Male child Sai Vidith who is studying 7th standard, about their preference and willingness to stay with their mother. They are also willing to stay with their mother in the United Kingdom.

6. Having considered the facts and circumstances of the case and recording the

submission of no objection made by the respondent and also considering the consents given by the respondent and the Children, this Court is inclined to pass the following orders:

(I) The order dated 28.03.2025 passed in MOP No.180 of 2025 on the Family Court, Puducherry in so far as Paragraph No.2 (Page 3 -lines 9 to 11) and Paragraph No.7 (Page 5 -lines 16 to 18) is deleted thereby visitation rights of the respondent is withdrawn.

(II) The order dated 08.03.2025 passed in National Lok Adalat Case No. 5318 of 2025 by the National Lok Adalat, Puducherry in G.O.P. No. 6 of 2024 on the file of the Family Court at Pondicherry in So far as Clause 2 and 3 is deleted and the petitioner shall be the sole Guardian to the children.

7. With the aforesaid modifications in the order dated 28.03.2025 passed in

MOP No.180 of 2025 on the Family Court, at Pondicherry, and the order

08.03.2025 passed in National Lok Adalat Case No. 5318 of 2025 by the National Lok Adalat, Puducherry in G.O.P. No. 6 of 2024 on the file of the Family Court, at Pondicherry, these Civil Revision Petitions are disposed of. No Costs. 08-04-2026
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No Lbm CRP No. 1969 of 2026 To D.Muthukumar S/o. Durairaj, No.46, 2nd Cross Street, thirumudi Nagar, Govindasalai, Puducherry CRP No. 1973 of 2026 To D.Muthukumar S/o. Durairaj, No.46, 2nd Cross Street, thirumudi Nagar, Govindasalai, Puducherry T.V.THAMILSELVI J. Lbm CRP No. 1969 of 2026 AND CRP NO. 1973 OF 2026 08-04-2026

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com