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CMP No. 25022 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CMP No. 25022 of 2025

AND

CONT P NO. 952 OF 2026, OSA NO. 30 OF 2025, CMP NO. 2893 OF 2025

In CMP.No.25022 of 2025

Reka Chakravarthy
D/o.C.Raghunathan, C-207 Srishti Signature
Apartments, Ottiyambakkam Main Road, Valluvar
Nagar, Sithalapakkam, Chennai - 600 131.

..Appellant(s)

Vs

Ganapathi Govindaraj
S/o.R.G.Govindaaj, NO.46, Advocate Ramanathan
Nagar, Thirupathur 635 601.

..Respondent(s)

In CONT P No. 952 of 2026

Mr. Ganapathi Govindaraj,
S/o.R.G.Govindaraj,
No.46, Advocate Ramanathan Nagar,
Thirupathur - 635 601.

..Appellant(s)

Vs

Mrs. Reka Chakravarthy
D/o.C.Raghunathan,
C-207, Srishti Signature Apartments,



Ottiyambakkam Main Road,
Valluvar Nagar, Sithalapakkam,
Chennai - 600 131.

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..Respondent(s)

In OSA No. 30 of 2025

Ganapathi Govindaraj
S/o.R.G.Govindaraj, No.46 Advocate Ramanathan
Nagar, Thirupathur - 635 601.

..Appellant(s)

Vs

1. Reka Chakravarthy
D/o.C.Raghunathan, C-207 Srishti Signature
Apartments, Ottiyambakkam Main Road,
Valluvar Nagar, Sithalapakkam, Chennai - 600 131.

2. The Passport Authority
The Regional Passport Officer,
Chennai.
(R2 impleaded vide order of this Court dated
12.02.2025 made in OSA.30 of 2025 and
CMP.No.2893 of 2025)

..Respondent(s)

In CMP No. 2893 of 2025

Ganapathi Govindaraj
S/o.R.G.Govindaraj, No.46 Advocate Ramanathan
Nagar, Thirupathur - 635 601.

..Appellant(s)

Vs

Reka Chakravarthy
D/o.C.Raghunathan, C-207 Srishti Signature
Apartments, Ottiyambakkam Main Road, Valluvar
Nagar, Sithalapakkam, Chennai - 600 131.

..Respondent(s)

Prayer in CMP No. 25022 of 2025: Judges Summons under Order XIV Rule 8 of the O.S.Rules read with Section 151 of the Civil Procedure Code, 1908, to modify the order dated 25.02.2025 passed in OSA.No.30 of 2025 by relaxing the condition requiring the minor children to be brought to India during



December 2025 for the visitation rights of the father, and instead permit the petitioner to bring the Children to India between 16th July - 15th August 2026 for visitation rights of the respondent.

Prayer in CONT P No. 952 of 2026: Contempt filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the respondent for committing deliberate and wilful disobedience of the order dated 25.02.2025 passed by this Hon'ble Court in C.M.P.No. 2893 of 2025 in O.S.A.No. 30 of 2025 and punish the respondent

In CMP.No.25022 of 2025

For Petitioner(s): Mr. S.Rajasekar
for M/s.Aakashguru.G
For Respondent(s): Mr.A.Sundaravadhanan
for Mr.D.Balachandran

In Cont.P.No.952 of 2026

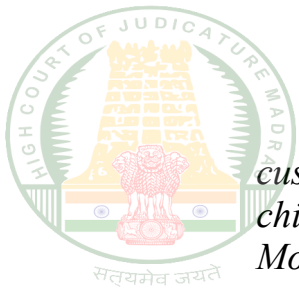
For Petitioner(s): Mr.A.Sundaravadhanan
for Mr.D.Balachandran
For Respondent(s): Mr.S.Rajasekar
for Mr.Akashguru

Order

(Order of the Court was made by Dr.Anita Sumanth J.)

OSA.No.30 of 2025 had been disposed by us on 25.02.2025 recording a Joint Memo of Understanding dated 25.02.2025 executed by both the parties in this Contempt Petition. In the interests of completion, that Memorandum is extracted below:-

“1.Both parties humbly submits that their two minor sons may be brought back to Chennai, during the last week of July 2025 to end of 1st week of August, and during that period, the interim custody will be given to the Appellant/ Father. He shall have



custody of the children for 15 days. He undertakes to pick up the children one day after their arrival and leave the Children to the Mother/Respondent one day prior to leaving USA.

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2.Both parties humbly submit that the Two Children will be returning to Chennai during Christmas Holidays (December 2025). During visit to India, the interim custody for 15 days will be with father and he undertakes to pick up the children one day after their arrival and leave the Children to the Mother/Respondent one day prior to leaving USA.

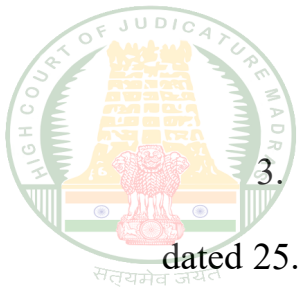
3.Both parties humbly submits that the Appellant/Father will be permitted to have video chat with the children by Whatsapp or other video conferencing platform daily in the evening hours (at USA time) for 15 minutes. On every Saturday and Sunday, Appellant/Father will be permitted to have video chat with the children by Whatsapp or other video conferencing platform for one hour.

4.The Respondent humbly submits that the newly issued passport copy (Xerox) for the Two Minor Children will be furnished to the Appellant/Father forthwith by E-mail.

5.The Appellant humbly submits that he is ready to bear ticket cost of the two minor Children towards travelling to India and back to USA during July/August 2025 and December 2025. The travelling dates should be informed by the respondent/Mother, well in advance by end of March, 2025 and July, 2025 respectively.

Both parties most humbly prays, the Hon'ble Court to consider the case and pass orders on the above interim arrangement as may deem fit in the circumstances of the case and thus render justice.”

2. The OSA had been disposed in light of the aforesaid arrangement, and we had permitted the mother and the minor children to travel to the United States of America on the strength of the passports and Visas obtained by her for the children.

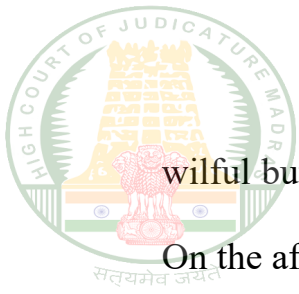


3. The father has approached us alleging contempt of this Court's order dated 25.02.2025 as the respondent has breached the condition relating to travel back to India with the children, in December 2025. The respondent, for her part, has filed an application seeking relaxation of the direction in order dated 25.02.2025 requiring the minor children to be brought to India during the December 2025 and instead permitting her to bring the children between 16.07.2026 and 15.08.2026 for the visitation rights of the father.

4. On account of the prevalent difficulties in travelling to the USA, neither the petitioner nor the minor children have been in a position to travel to the US/India respectively. The modification sought for by the petitioner is also infructuous now.

5. We find that the H-1B Visa on the strength of which the petitioner had travelled to USA has, in fact, expired pending these proceeding. Her contract of employment had also concluded. She has however been in a position to obtain an alternate post doctoral arrangement and today, an additional affidavit dated 18.07.2026 is placed before us, that reveals that her new employer, the Department of Internal Medicines/Nephrology, University of Michigan, has confirmed that an application has been forwarded to the appropriate Department for issuance of Visa afresh.

6. In these circumstances, we are of the considered view that the inability to facilitate visitation of the children in December 2025 or thereafter is not



wilful but on account of the extant circumstances that are beyond one's control.

On the aforesaid discussion, we close Cont.P.No.952 of 2026. No costs.

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7. The father/respondent is keen to obtain a Visa and travel to the United States to visit his family.

8. Mr.S.Rajasekar, learned counsel who appears for the petitioner in CMP, states on instructions that the petitioner will co-operate to the fullest extent possible, in facilitating the travel plans of the respondent to ensure his visitation, and that the same is fruitful. Let an affidavit be filed to such effect, expeditiously. Scanned copy of the affidavit be filed within a week and circulated to us in chambers.

9. CMP.No.25022 of 2025 is closed.

(A.S.M.,J.) (C.K.,J.)

28-07-2026

mpl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Scanned copy of the affidavit to be circulated to us in chambers.

To

1. The Sub-Assistant Registrar, Original Side, High Court of Madras.



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CMP No. 25022 of 2



DR.ANITA SUMANTH J.

AND

C.KUMARAPPAN J.

MPL

CMP No. 25022 of 2025

AND

CONT P NO. 952 OF 2026,OSA NO. 30 OF 2025,CMP NO. 2893 OF 2025

28-07-2026