

**THE HONB'E SRI JUSTICE C.PRAVEEN KUMAR  
AND  
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

**CIVIL MISCELLANEOUS APPEAL NO.694 OF 2007**

**JUDGMENT:** (per Hon'ble Sri Justice C.Praveen Kumar)

The respondent herein filed O.P.No.42 of 2006 on the file of the Court of the Principal District Judge, Medak at Sangareddy (for short, the trial Court) under Section 6 of the Hindu Minority and Guardianship Act, 1956 seeking custody of his minor daughters viz., Swetha and Sindhu. The trial Court, by the order and decree dated 13.07.2007 allowed the said OP, appointing the respondent herein as guardian of his minor daughters and directing the appellants herein to handover the custody of the said minors to the respondent. Assailing the said order and decree, the appellants herein, who are uncles and maternal aunt of the minors, filed the present Civil Miscellaneous Appeal.

2. This Court by an order dated 14.09.2007, while issuing notice, granted interim suspension of the order of the trial Court. Later, the matter was also referred to Andhra Pradesh High Court Legal Services Committee, Hyderabad for conciliation. It appears that conciliation failed and as such the matter was referred back to this Court. On 12.07.2010, this Court in CMAMP.No.822 of 2010, filed by the respondent (father of the minors), having observed the keenness of the fourth respondent (appellant No.4) and her husband, felt it appropriate

to grant the custody of the children to them. However, the father was granted permission to visit his children at the place of the fourth respondent once in a month i.e., on the last Sunday of every month between 8.00 am and 10.00 am, subject to the convenience and willingness of the children.

3. Today, when the matter is taken up for hearing, the appellants and the respondent along with the minor children are present in the Court. We have examined the minor children viz., Swetha and Sindhu, who are 17 years (twins) as on today, in the chambers. Both of them in one voice stated that they have been staying with their aunt M.Sunitha, who is the fourth appellant herein, since 13 years. They further stated that their aunt is looking after them very well. They also stated that their father got married when they were about 10 years and when they stayed with him for 4 days, they were put to lot of mental agony. They expressed their willingness to stay with their maternal aunt.

4. Having regard to the facts and circumstances of this case, since the minor daughters are living with their maternal aunt since 13 years, we feel that their interest would be protected if the interim orders passed by this Court on 12.07.2010 are continued till the children attain majority, in the month of June, 2018. Hence the children shall be in the custody of the fourth appellant till June, 2018 i.e., till they attain majority. The respondent shall have the visitation rights at the place of the

fourth respondent once in a month i.e., on the last Sunday of every month between 8.00 am and 10.00 am, subject to the convenience and willingness of the children. Thereafter, it is open to the children to live at the place of their choice.

5. With the above observations, the Civil Miscellaneous Appeal is disposed of. No costs. Miscellaneous petitions pending, if any, shall stand closed.

---

**C.PRAVEEN KUMAR, J**

Date: 03-04-2018  
TJMR

---

**T.AMARNATH GOUD, J**

