

A.No.8124 of 2019 in
O.P.No.331 of 2016

K.KALYANASUNDARAM., J

This application has been filed seeking permission to admit the minor Swarakshitha to study from 5th standard in any other School and for direction to the respondent to co-operate for admission in new school.

2. O.P.No.331 of 2016 has been filed by the applicant for permanent custody of the minor Swarakshitha. It appears that at the time of filing of O.P., the minor was under care and custody of her father, the respondent herein. After passing several orders for granting visitation right to the applicant herein, by an order dated 29.03.2019, interim custody of the minor child was granted in favour of the applicant. At present the minor Swarakshitha is studying in fourth standard in Velankanni Nursery and Primary School, K.K.Nagar, Chennai-78.

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3. It is the case of the applicant that her daughter was admitted by the respondent in the said Velankanni Nursery and Primary School and she has psychological discomfort and hence, she wants to join in any other

School. The applicant would state that both of her parents are alumni of Padma Seshadri Bala Bhavan School, and the School has offered a seat for the minor child.

4. A detailed counter affidavit has been filed by the respondent stating that the applicant gave a specific undertaking before this Court on 29.04.2019 that she will not attempt to shift the minor child from the present School. After giving such undertaking, this application is filed with an intent to delay the disposal of the O.P. It is further stated that the child has no intention to change the School and the sudden change of the school will definitely affect the child and it will do great harm to the child in future.

5. At the request of the both the learned counsels, I interacted with the minor child today.

6. The child has expressed some deficiencies from the present School and she wants to join Padma Seshadri Bala Bhavan School. It is to be noted that the said Padma Seshadri Bala Bhavan School is also situated in K.K.Nagar and shifting of school would not cause any inconvenience to both

of her parents.

7. In the light of the above fact, the applicant is permitted to admit the minor child in Padma Seshadri Bala Bhavan School, K.K.Nagar, Chennai and the respondent shall cooperate for her admission in the new school. Accordingly, the application is ordered.

8. Post the matter before the learned Master for recording evidence on 27.11.2019.

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20.11.2019

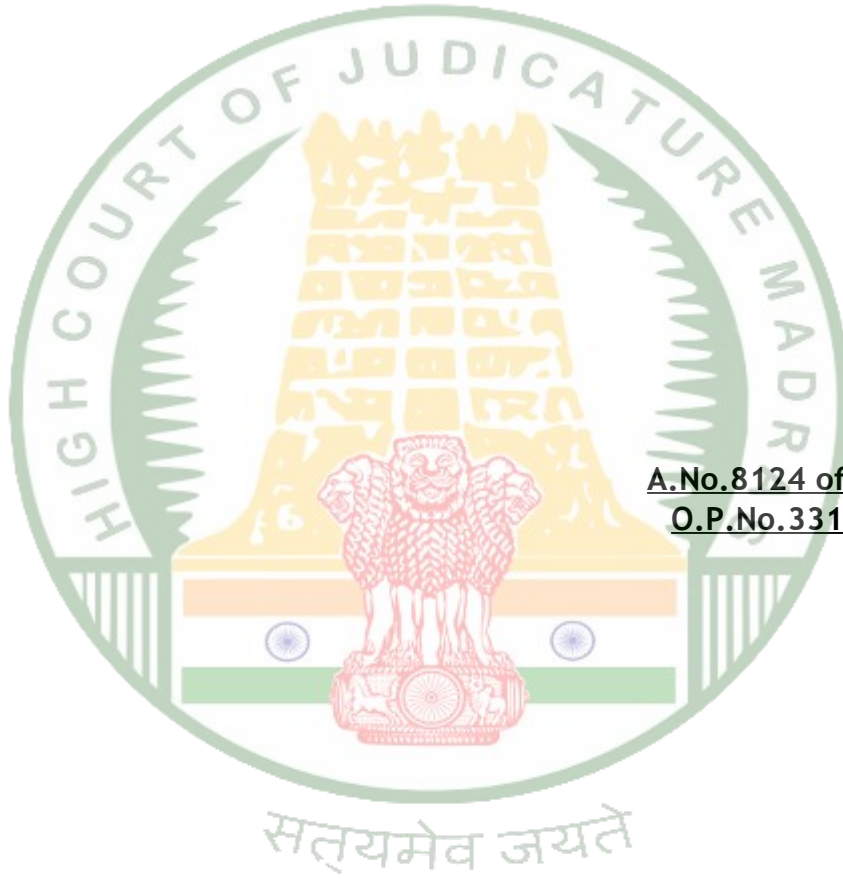


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