

A.No.9878 of 2019
in
O.P.No.1089 of 2019

SENTHILKUMAR RAMAMOORTHY, J

This application is filed for permission to have temporary custody of the minor child Sowmithran so as to take the child with the applicant to Sweden.

2. I heard the learned counsel for the applicant and the learned counsel for the respondent.

3. The learned counsel for the respondent submits that he does not have any objection to this application being allowed subject to the conditions specified in paragraph-8 of the counter affidavit.

4. The learned counsel for the applicant submits that he is agreeable to the condition that the respondent should be permitted to have skype video call with his son for one hour on every Sunday. He is also agreeable to the condition that the visitation rights provided earlier should be continued from January 2022. As regards the condition that travel permission should not be extended beyond January 2022, he further submitted that the deputation of the applicant is currently till January 2022 and that, if required, the applicant

would re-apply to this Court for extension. With regard to the condition that the respondent should have custody of the child for a minimum of one week in June and December, he submits that the applicant is agreeable to provide visitation for 2 1/2 hours on every Sunday. With regard to the condition that the respondent should have custody of the child from 10.00 a.m. to 5.00 p.m., on one day before the departure to Sweden, the applicant has no objection for providing visitation rights between 10.00 a.m. and 01.00 p.m.

5. I considered the submissions of the respective counsel and also examined the affidavit and took into consideration the overall facts and circumstances and the interest of the minor child.

6. Accordingly, the following directions are issued:

(i) The applicant shall be permitted to take the minor, Sowmithran, along with her to Sweden during her deputation and to keep the child until January 2022.

(ii) The child shall not be retained in Sweden beyond January 31, 2022 without the express permission from this Court.

(iii) *The respondent shall be permitted to have a skype video call with his son for one hour on every Sunday when his son is in Sweden.*

(iv) *Whenever the applicant visits India in the month of June and December, the respondent shall be permitted to have access to the child on every Saturday and Sunday between 10.00 a.m. and 01.00 p.m.*

(v) *E-mails sent by the respondent to the applicant regarding the child should be responded to by the applicant within 24 hours.*

(vi) *On any Sunday before the applicant departs to Sweden, the respondent shall be provided access to the child between 10.00 a.m. and 5.00 p.m.*

(vii) *The applicant shall provide by e-mail to the respondent the residential address and his son's educational particulars within two weeks after the applicant reaches Sweden.*

7. This application is disposed of on the above terms.

10.01.2020

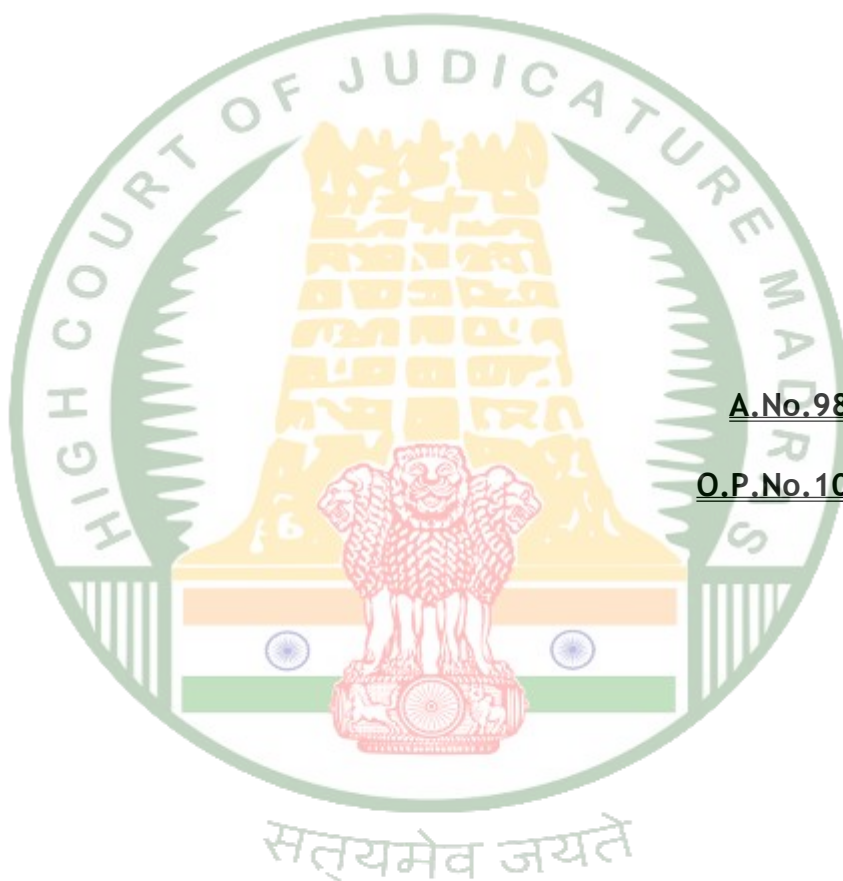
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Note : Issue order copy on 13.01.2020

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SENTHILKUMAR RAMAMOORTHY, J

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