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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 7th DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P. No.530 of 2018
&
A.No. 756 of 2021

In the matter of Guardians and
Wards Act 1890
And
In the matter of Minor Nakshatra
(Female)

Mrs. R.Mohana Priya,
W/o. Rajesh Kumar,
D/o A.Ravi,
No: 140, Kovilkuppam Reddiar Street,
Pennattagaram,
Vandavasi Taluk,
Tiruvannamalai District : Petitioner

Vs.

1.S.Rajesh Kumar,
S/o Late D.Selvam,

2.Rani,
W/o Late D.Selvam

3.S.Sasi Kumar
S/o Late D.Selvam,

4.S.Santhosh Kumar
S/o Late D.Selvam,

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All the Respondents are residing at
No.108, 4th Street,
Dharmapuram, T.Nagar,
Chennai - 600 017. : Respondents

Original Petition praying that this Hon'ble Court be pleased to appoint the Petitioner as guardianship of the person of minor daughter, Nakshatra and permanent custody of minor to the petitioner who is the natural guardian as per law.

A.No. 756 of 2021:-

1.S.Rajesh Kumar,
S/o Late D.Selvam,

2.Rani,
W/o Late D.Selvam

3.S.Sasi Kumar
S/o Late D.Selvam,

4.S.Santhosh Kumar
S/o Late D.Selvam,

All the Respondents are residing at
No.108, 4th Street,
Dharmapuram, T.Nagar,
Chennai - 600 017. ...Applicants

Vs.

M/s.E.Balamurugan,
No. 328, Law Chambers,
High Court Buildings,
Chennai - 600 104. ... Respondent

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Application praying that this Hon'ble Court be pleased to revoke the Vakalat of Mr.E.Balamurugan and appoint M/s.V.Giri Shankar, R.Uma

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Devi as Counsel on Record for the Applicants/Respondents in O.P.No.530 of 2018.

This Original Petition along with the application coming on this day before this court for hearing in the presence of Mr.M.Nallathambi, Advocate for the petititoner herein and Mr.E.Balamurugan, Advocate for the respondents 1 to 4 in O.P. No.530 of 2018 and for the respondent in A.No. 756 of 2021 and Mr.V.Giri Shankar, Advocate for the Applicants in A.No. 756 of 2021 and and upon reading the petition and the affidavit of Rajesh Kumar filed herein in A.No.756 of 2021 and it is ordered as follows:-

That the O.P. No.530 of 2018 be and is hereby dismissed as withdrawn

2.That the A.No. 756 of 2021 do stand closed.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 7th DAY OF SEPTEMBER 2021.

Sd/-
ASSISTANT REGISTRAR (O.S-II)
//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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02.11.2021

O.P. No.530 of 2018
&
A.No. 756 of 2021

ORDER

DATED : 07.09.2021

THE HON'BLE MR. JUSTICE
V.PARTHIBAN

FOR APPROVAL: 22.11.2021

APPROVED ON: 23.11.2021

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S/o Late D.Selvam,

4.S.Santhosh Kumar
S/o Late D.Selvam,

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Dharmapuram, T.Nagar,
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Original Petition praying that this Hon'ble Court be pleased to appoint the Petitioner as guardianship of the person of minor daughter, Nakshatra and permanent custody of minor to the petitioner who is the natural guardian as per law.

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Vs.

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No. 328, Law Chambers,
High Court Buildings,
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https://hcservices.ecourts.gov.in/hcservices/

Application praying that this Hon'ble Court be pleased to revoke

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the Vakalat of Mr.E.Balamurugan and appoint M/s.V.Giri Shankar, R.Uma Devi as Counsel on Record for the Applicants/Respondents in O.P.No.530 of 2018.

This Original Petition along with application coming on this day before this court for hearing, the court made the following order:-

This O.P. has been filed to appoint the petitioner as guardian of the person of minor Nakshatra and grant permanent custody of the minor to the petitioner who is the natural guardian as per law.

2.When the matter is taken up for hearing, an affidavit has been filed by Mrs.R.Mohana Priya/petitioner herein stating that the matter has been amicably settled between her and the 4th respondent. The contents of the affidavit reads as under;

> *"1.I submit that I am the petitioner herein and as such I am well acquainted with the facts and circumstances of the case.*
>
> *2.I submit that I filed O.P.No.530 of 2018 before Hon'ble High Court for custody of my minor child R.Nakshatra.*
>
> *3.I submit that the matter has been amicably settled between me and respondents and fourth respondent as I agree to handover the custody of minor child R.Nakshatra to me after filing the Divorce for mutual consent petition before the*

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Family Court in O.P.No.3517 of 2021.

4.I submit that in the above facts and circumstances this Court may be pleased to withdraw the above O.P.No.530 of 2018."

3.In view of the same, the present O.P. stands dismissed as withdrawn. Consequently, the connected Application is closed.

Sd./-V.P.N.J.

07/09/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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