

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 07TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P. VELMURUGAN

O.P.No. 393 of 2008

In the matter of Guardian and Wards
Act, 1890

and

In the matter of Anya Sitara Verma
and Diya Antara Verma the minors.

Aarthi R. Verma,
D/o. I.V. Ravindra Kumar,
No. 41 D, 318 Village Road,
Garden City Apartments,
Nungambakkam,
Chennai – 34.

... Petitioner

-Vs-

Rohit Verma,
S/o. Rajan Verma,
residing at Apt # 108, 3905
Inglewood Blvd,
Los Angeles,
CA 900 66.
and also having his residence at
97/1, Harini Avenue,
Velachery Main Road,
Chennai – 600 032.

... Respondent

Original Petition praying that this Hon'ble Court may be pleased to grant permanent custody of the minor Children Anya Sitara Verma born on 07/10/04 aged 3 and ½ years and Diya Antara Verma born on 27/4/08 and aged two months.

This Original Petition coming on this day before this court for hearing in the presence of M/s.Geeta Ramaseshan, advocate for the petitioner herein and the respondent not appearing in person or by an advocate and upon reading the petition filed herein and the other exhibits therein referred to and upon perusing the evidence adduced therein and at the time of filing this petition, the minors are aged 4 years and 3 months respectively and they are now aged 17 years and 13 years respectively and they are with their mother/petitioner during the pendency of this petition, the respondent excepting for filing an application in A.No. 6683 of 2014 for visitation rights, has not shown any interest on the minors, the minors are the female children and the respondent/father has not established that the mother is acting against the interest and welfare of the children,

it is ordered :-

That Aarthi R. Verma, the petitioner herein be and is hereby granted to permanent custody of the minor Children viz., Anya Sitara Verma born on 07.10.2004 and Diya Antara Verma born on 27.04.2008.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 07TH DAY OF APRIL 2022.

Sd/-

ASSISTANT REGISTRAR (O.S-II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

ED

19.04.2022

O.P.No. 393 of 2008

ORDER:-

DATED : 07.04.2022

THE HON'BLE MR. JUSTICE
P. VELMURUGAN

FOR APPROVAL: 22.04.2022

APPROVED ON : 22.04.2022

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... Respondent

Original Petition praying that this Hon'ble Court may be pleased to
grant permanent custody of the minor Children Anya Sitara Verma born on
07/10/4 aged 3 and ½ years and Diya Antara Verma born on 27/4/08 and
aged two months.

This Original Petition coming on this day before this Court for hearing **the Court made the following orders:-**

This application has been filed for grant of permanent custody of the minor children viz., Anya Sitara Verma born on 07.10.2004 and Diya Antara Verma born on 27.04.2008.

2. The petitioner is the mother and the respondent is the father of the minor children viz., Anya Sitara Verma and Diya Antara Verma. The respondent was set exparte on 17.07.2009 as he has not filed counter.

3. Earlier the matter was referred to the learned Master for recording evidence. Before the learned Master, the petitioner was examined as PW1 and filed her proof affidavit and the followed documents were marked as Ex.P1 to Ex.P3 :

<i>Exhibits</i>	<i>Nature of Documents</i>
P1	Copy of the marriage certificate of the petitioner and the respondent
P2	Photocopy of the passport issued to one of the minors viz., Anya Sitara
P3	Original Birth certificate of one of the minors viz., Diya Antara Verma

4. Heard and perused the materials. At the time of filing this petition, the minors are aged 4 years and 3 months respectively and they are now aged 17 years and 13 years respectively and they are with their mother/petitioner during the pendency of this petition. The respondent excepting for filing an application in A.No. 6683 of 2014 for visitation rights, has not shown any interest on the minors. The minors are the female children and the respondent/father has not established that the mother is acting against the interest and welfare of the children.

5. Therefore, this Court finds that the petitioner is entitled for custody over both the minor children. This original petition is allowed.

Sd./- P.V.J.,
07.04.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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