



O.P.No.372 of 2016

O.P.No.372 of 2016

P.VELMURUGAN, J.

WEB COPY

This petition has been filed under Sections 3, 7 to 10 and 25 of the Guardianship and Wards Act 1890 r/w Order XXI Rule 2 & 3 of O.S.Rules praying to appoint the petitioner herein as the guardian of a minor children R.V.R.Ajay Varman and R.V.R.Arjun Samrrat.

2.The petitioner is the mother and the respondent is the father of the minor children.

3.The petitioner has clearly stated that the respondent married another women and living separately and hence, she filed the present petition seeking to appoint her as the guardian of the minor children and grant permanent custody of the minor children to her.

4.As per Statute, the mother and the father are natural guardians of the minor children, hence, no need to declare the mother as guardian of the minors.



O.P.No.372 of 2016

5. On a perusal of the averments made in the affidavit, it is seen that the petitioner has stated about the manner in which her husband acted against her and there is no whisper about the minor children. Since the father is also a natural guardian of the minor children as per law, the petitioner/mother cannot seek permanent custody, unless she establishes that the father of the minors acting against the interest of the minors. Hence, the petitioner is not entitled for the relief as sought for in the petition.

6. Accordingly, this original petition is dismissed.

09.03.2022

ms



WEB COPY



O.P.No.372 of 2016

P.VELMURUGAN, J.,

ms

O.P.No.372 of 2016

09.03.2022