



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 25th DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.790 of 2021

In the matter of Guardian and Wards
Act, 1890

and

In the matter of (Minor) Miss.Sanjana

Mrs.Gajalakshmi
D/o.N.Jayaraman
No.D1 Arihat Sholka
No.203, Secretariat Colony 7th Street,
Kilpauk, Chennai 600 010.

.... Petitioner

-vs-

Mr.Sanjay Sarma Pantula
S/o. Mr.Sitarama Sarma Pantula
New No.63/5, MIG Flats (Z-121)
5th Avenue, Anna Nagar,
Chennai 600 040.

...Respondent

Original Petition praying that this Hon'ble Court may be pleased to
declare the petitioner as the legal guardian of the person of the minor
Ms.Sanjana (Date of Birth 01.06.2015).

This Original Petition coming on this day before this court for hearing
in the presence of Mr.S.Thiruvengadam advocate for the petitioner herein
and upon reading the petition together with the declaration of willingness of



Mrs.Gajalakshmi, the petitioner herein accepting the office of Guardianship of the person of the minor above named filed herein and the other exhibits therein referred to and upon perusing the evidence adduced therein,

it is ordered as follows:-

That Mrs.Gajalakshmi, the petitioner herein be and is hereby appointed as the Legal Guardian of the minor Sanjana Pantula born on 01.06.2015 during her minority or until further orders of this court.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 25th DAY OF JANUARY 2022.

Sd./-

ASSISTANT REGISTRAR(O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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O.P. No.790 of 2021

ORDER:-

DATED: 25.01.2022

THE HON'BLE MR. JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 14.02.2022

APPROVED ON : 14.02.2022



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Original Petition praying that this Hon'ble Court may be pleased to
declare the petitioner as the legal guardian of the person of the minor
Ms.Sanjana (Date of Birth 01.06.2015).

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

This petition has been filed under Section 3,7,8,9 & 10 of the



High Court Original Side Rules seeking for legal guardianship of the minor Sanjana Pantula, born on 01.06.2015 to the petitioner out of the wedlock with the respondent.

2. According to the petitioner, ever since the birth of minor Sanjana Pantula, she has been under her custody. The marriage between the petitioner and the respondent was solemnized on 15.11.2013. But, thereafter, after the birth of the minor Sanjana Pantula, the marriage got dissolved under a decree of divorce dated 23.10.2021 passed by the VII Additional Family Court, Chennai in O.P. No.526 of 2020.

3. The respondent has been duly served in this petition and his name is also printed in the cause list today, but, he has chosen not to defend this O.P.

4. Evidence has also been recorded on behalf of the petitioner before the learned Master, pursuant to the directions issued by this Court. Since the respondent has not entered appearance, despite service of notice on him till date, he has been set *ex-parte* by this Court.

5. Before the learned Master, the petitioner, Gajalakshmi was



examined as a witness (P.W.1). In her deposition, she has reiterated the contents of the petition filed in support of O.P. No.790 of 2021. Through P.W.1, the following documents were marked as Exhibits:-

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Original Marriage Invitation Card dated 15.11.2013.
Ex.P-2	Computer generated Birth Certificate of Sanjana Pantula, who was born on 01.06.2015.
Ex.P-3	Photocopy of petitioner's Aadhaar Card bearing No.8854 2733 7138.
Ex.P-4	Photocopy of the Order dated 23.10.2021 in O.P. No.526 of 2020 passed by VII Additional Family Court, Chennai.
Ex.P-5	Petitioner's declaration of willingness.

6. As seen from the evidence available on record, the petitioner got married to the respondent on 15.11.2013 as seen from the marriage invitation card, which has been marked as Ex.P1. Out of the wedlock, Sanjana Pantula was born on 01.06.2015 as seen from her birth certificate, which has been marked as Ex.P2. The Aadhaar Card of the petitioner has been marked as Ex.P3. Thereafter, the marriage between the petitioner and the respondent got dissolved as seen from the order of divorce granted by the VII Additional Family Court, Chennai dated 23.10.2021 passed in O.P. No.526 of 2020, which has been marked as Ex.P4. According to the petitioner, as seen from her pleadings as well as from her oral evidence, ever since the birth of the child, the said child has been only under her



custody. She has also submitted a declaration of willingness for being a legal guardian for the minor daughter Sanjana Pantula, which has been marked as Ex.P5.

7. The respondent has also chosen not to defend this O.P. and therefore, it is clear that he is not interested in seeking legal guardianship of the minor Sanjana Pantula.

8. After giving due consideration to the pleadings and evidence available on record, this Court is inclined to grant the prayer sought by the petitioner in O.P. No.790 of 2021. Accordingly, the petitioner is appointed as the legal guardian for the minor Sanjana Pantula, who was born on 01.06.2015.

9. In the result, O.P. No.790 of 2021 is allowed.

Sd./-A.Q.J
25.01.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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