



A.Nos.2526 & 2527 of 2023
in O.P.No.563 of 2013

K.KUMARESH BABU,J.

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These applications have been filed seeking to modify the order of this Court dated 27.02.2014 and to permit the applicant to take the girl child along with her to her work place in the United Kingdom.

2.When the matter was taken up for hearing, the learned counsel appearing on behalf of the applicant would submit that in spite of her sincere efforts, she was not able to contact the respondent/ petitioner. The mobile number available with the learned counsel also is not responded by the service provider. She receives an automated voice recording that “*the said mobile number does not exist*”. She had also further sent a registered post to the respondent and the same has been returned as “*no such address*”. Hence, she had filed the present memo.

3.Originally this Court by order dated 27.02.2014, recording the arrangement made between the parties, the custody of the child was to be with the mother. However, the father was appointed as the guardian of the minor child. By further order dated 06.11.2014, the father was permitted to have a visitation right of the minor child. It is submitted by the learned counsel for the applicant that the father of the child had not exercised his visitation right as early as from the year 2019.



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4.Taking into consideration that the learned counsel for the respondent had filed a memo that she is unable to contact the respondent and the respondent had also not visited the child after 2019 and also the fact that the mother had got an employment in the United Kingdom for betterment of living, I am of the view that the earlier order passed by this Court dated 27.02.2014 requested to be modified.

5.Therefore, the respondent is relieved from the guardianship of the minor and the applicant herein is appointed as the guardian of the minor, person and the property. The applicant is also permitted to take the child to the United Kingdom where she has gained an employment.

6.In the above terms, this application is disposed of.

26.04.2023

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