



O.P.No.166 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM

THE HON'BLE MR. JUSTICE RMT.TEEKAA RAMAN

**O.P.No.166 of 2024
and A.No.3667 of 2024**

Shazia Fathima
Petitioner

...

Vs

A.Arif Bhasha

...

Respondent

PRAYER: Original Petition filed under Section 3, 7, 8, 9, 10, 25 & 26 of Guardian and Wards Acts, 1890 r/w Order XXI Rule 2 and 3 of O.S. Rules

For Petitioner : Mr.S.Absul Mussawwir Khan

For Respondent : M/s.U.Priya Darsini

ORDER

This petition has been filed by the petitioner seeking appointing permanent guardian of her minor child Mohammad Omair Muzammil Ali under Section 3, 7, 8, 9, 10, 25 & 26 of Guardian and Wards Acts, 1890 r/w Order XXI Rule 2 and 3 of O.S. Rules.



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2. The petitioner is the mother and the respondent is the father. The minor child Mohammad Omair Muzammil Ali was born on 16.08.2017. Due to matrimonial dispute, the petitioner/mother has issued khula on 14.11.2021 and the same was accepted by the respondent on 15.11.2021 and the khula process between the parties under the present law had been completed.

3. As per clause 8 of the 'khula deed dated 14.11.2021', the minor child stays with the petitioner and she has stated that she will not claim any maintenance from the respondent. In view of the counter affidavit filed by the respondent/father, in the interest of justice, this Court, by order dated 10.09.2024, directed the petitioner/mother alongwith the minor child and the respondent/father to appear before this Court through video conferencing on 20.09.2024 @ 1.00 p.m.

4. Pursuant to the order passed by this Court on 10.09.2024, the petitioner, respondent and the minor child appeared through video conferencing today @ 1.15 p.m. This court has interacted with the respondent/father who had expressed that he has no objection for allowing



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the petition, through his counsel and also expressed his consent to court through video conferencing. The petitioner/mother appeared through video conferencing alongwith the minor child Mohammad Omair Muzammil Ali. I had personally interacted with the minor child and asked basic details and educational status of the child.

5. In view of the fact that the respondent/father has expressed his no objection through his counsel and also through video conferencing for allowing this petition, I am inclined to allow this petition by appointing the petitioner as guardian of the minor child Mohammad Omair Muzammil Ali.

6. This petition is ordered accordingly. Consequently, connected Miscellaneous Petition is closed.

20.09.2024

rg

Neutral Citation: Yes/No
Speaking order : Yes/No



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RMT.TEEKAA RAMAN, J.

rgr

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