



O.P.No.309 of 2024

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RMT.TEEKAA RAMAN, J.

This Petition has been filed under Section 7 and 10 of the Guardian and Wards Act, 1890 read with Order XXI Rules 2 and 3 of Original Side Rules and Clause 17 of Letters Patent Act, for appointing/declaring the Petitioner as the guardian of minor Sai Dhruvan, who was born on 18.07.2019.

2.The marriage between the parties is solemnised on 19.02.2018 at Mahesh Hall, No.54 Perambur Baracks Road, Purasawalkam, Chennai. Out of the wedlock, minor son viz., Sai Dhruvan was born on 18.07.2019 at Joseph Nursing Home, Dr.Gurusamy Road, Chetpet, Chennai. The minor son is under the care and custody of the Petitioner/Mother. Due to matrimonial disputes between the parties, Father of the minor child filed divorce Petition before the Additional Family Court No.IV, Chennai in O.P.No.1037 of 2023. Since the parties jointly filed O.P.No.1040 of 2024 on 16.02.2024 for divorce on mutual consent, the Respondent withdrew O.P.No.1037 of 2023 on the same day.

3.Now the present Application has been taken out by the Mother for appointing her as legal guardian of the minor son. Notice was served on the



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Respondent.

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4.After following due procedure, the Petitioner was examined as PW1 and Exs.P1 to P10 were also marked and the Respondent was examined as RW1 and during his cross examination Ex.P11 also marked.

5.When the matter was again listed before this Court, my brother Hon'ble Mr.Justice C.V.Karthikeyan has asked the Father to make some fixed deposit.

6.When the matter is taken up for hearing today, learned counsel for the Respondent/Father would state that pursuant to the earlier order passed by this Court, the Respondent has opened a single premium individual Life Insurance named “LIC's NIVESH PLUS” in Policy No.328131037 for Rs.1,00,000/- in the Life Insurance Corporation of India in the name of the minor son and he has also appointed the Petitioner/Mother as a Proposer to the policy to claim after its maturity i.e., in the year 2039. The learned counsel for the Respondent/Father filed an affidavit to the above said effect along with copy of the policy documents.

7.The original policy along with copy of policy documents was handed



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over to the learned counsel for the Petitioner.

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8.Taking note of the gesture exhibited by the Father and in view of the oral & documentary evidences and on the facts and circumstances of the case, the Petitioner is hereby appointed as legal guardian of the minor son Sai Dhruvan.

9.Accordingly, this Original Petition is allowed.

04.09.2024

sai



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sai

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Dated: 04.09.2024