



WEB COPY



O.P.No.273 of 2023

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O.A.No.507 of 2023 & A.Nos.2900, 2901 & 2902 of 2023

N.SATHISH KUMAR, J.

This Original Petition is filed under sections 3, 7 to 10 and 25 of the Guardian and Wards Act read with Order XXI Rule 2 and 3 of O.S. Rules seeking appointment of the petitioner as the Guardian of the person of minor children Saharsh and Sasha.

2. It is the case of the petitioner that the marriage between the petitioner and the respondent was solemnized on 01.10.2008 and in the wedlock, fraternal twin children, viz., Saharsh and Sasha were born to them on 30.03.2012. Due to matrimonial discard, the petitioner is residing separately along with her minor children and divorce proceedings has also been initiated against the respondent. Hence, for the welfare of the minor children, the petitioner seeks to be appointed herself as the guardian of the minor children Saharsh and Sasha.



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3. The respondent along with his counsel were present before this Court and filed an affidavit stating that the minor children were all along with custody of the petitioner and the petitioner and the respondent are separately living from the year 2019. It is further stated in the affidavit that divorce has also been granted to the petitioner and the respondent in HMOP.No.1473 of 2019 on the file of the I Additional Family Court, Chennai. It is also stated in the affidavit that for the welfare of the children, he has no objection for the petitioner being appointed as the guardian of the minor children Saharsh and Sasha

4. The affidavit filed by the respondent is taken on file. The respondent has also asserted that he has no objection in appointing the petitioner as the guardian of the minor children and also keeping the custody of the minor children with her.

5. In such view of the matter, as the respondent has no objection for the petitioner being appointed as guardian of the minor children and the minor children are all along in the care and custody of the petitioner, the matrimonial relationship between the petitioner and respondent has already



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severed, for the welfare of the minor children, the petitioner is the fit person to be appointed as the guardian of the minor children Saharsh and Sasha.

The petitioner shall execute a Guardian Bond for a sum of Rs.25,000/- in favour of Assistant Registrar O.S.(II), High Court, Madras. The affidavit filed by the respondent shall form part of the records. Consequently, connected applications are closed.

23.01.2024

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Date : 23.01.2024