



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM:

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

A.Nos.3551 & 3552 of 2023
in O.P.No.387 of 2023

Sivaranjani.S
W/o. Sivaprakash
8/26, 4th street, Pandian Nagar,
Medical College Road,
Thanjavur – 613 007.
Old No.B-4, New No.8/830
Antony Pebbles
Mullai Street,
Sankarapuram
Sithalapakkam,
Chennai – 600 126.

... Applicant in both applications

Vs.

Sivaprakash
S/o. Natarajan
Old No.18A, New No.44,
Parameswaran Layout – 2,
Pappanaickenpalayam,
Coimbatore – 641 037.

... Respondent in both applications

Application in A.No.3551/2023 in O.P.No.387/2023 is filed under the Guardian and Wards Act, 1890, to grant an interim custody of minor Child, Aradhana, pending disposal of the original petition.



Application in A.No.3552/2023 in O.P.No.387/2023 is filed under the Guardian and Wards Act, 1890, to grant permission to the applicant to visit the minor daughter Aradhana pending disposal of the original petition.

For Applicant : Ms.Gopika Nambiar
(in both applications)

For Respondent : Mr.M.Sathishkumar
(in both applications)

COMMON ORDER

On 17.07.2023, in the application filed by the applicant / mother seeking visitation rights of the minor daughter Aradhana who is presently under the custody of the respondent / father, this Court has passed an order granting visitation right to the applicant / mother to interact with the child through video conference on every Friday, Saturday and Sunday and the same is continuing till date.

2. The learned counsel submitted that the applicant is going to come down to India from Canada on 23.12.2024 and she may be permitted to have the child with her until she stays in India.

3. As the applicant is placed in Canada she is just communicating with the child through audio and video calls and she could visit the child only when



she comes to India. On an earlier occasion also when the applicant had been to India during the month of September, 2024, orders have been passed for permitting the applicant to have the child with her during the weekends of her stay in India.

4. The learned counsel for the respondent submitted that when the applicant comes this time the child can be picked up at Coimbatore but at any common place other than the residence of the respondent and that the applicant or her counsel should coordinate with the counsel for the respondent to inform the whereabouts of the child when the child is in the custody of the applicant. It is further submitted that the school is going to reopen for the child on 02.01.2025 and the child should be left back at Coimbatore on 01.01.2025.

5. After hearing both side counsels, I feel the following arrangement can be made:

As the child is having Christmas holidays, the applicant can pick up the child at Coimbatore in-person. The respondent shall leave the child on 23.12.2024 at 6 p.m. at *Sri Srinivasa Perumal Temple, Netaji Road, Siddmapudur, Coimbatore – 641 037*, in order to enable the applicant to take the child with her and have her company till 01.01.2025. The child shall be left



back at the same place before 08.00 p.m. on 01.01.2025 in order to enable the respondent to take back the child. During the period for which the child is going to be under the custody of the applicant, the applicant shall furnish the details about the whereabouts of the child by promptly coordinating with her counsel and the counsel for the applicant shall pass such informations gathered from the applicant to the respondent's counsel in order to get the respondent updated about the details of the whereabouts of the child.

6. The learned counsel for both sides are requested to coordinate between themselves to comply the above order in its true letter and spirit.

21.12.2024

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Note to Office: Issue order copy by today.



WEB COPY



R.N.MANJULA, J.

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in O.P.No.387 of 2023

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