



WEB COPY



A.No.5406 of 2024
in O.P.No.860 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

A.No.5406 of 2024

in

O.P.No.860 of 2016

Mrs. Abirami Kalyanasundaram,
D/o. N. Kalyanasundaram,
L-1, Rohini Gardens,
Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.

... Applicant

/versus/

Mr. S.Sakthivel,
S/o.Dr. R.Sundaravadivelu,
Flat No. 10-H, Block No.2, Ramaniyam Sanjivini.
72/1, Dr.Muthulakshmi Salai,
L.B Road,
Thiruvanmiyur,
Chennai 600 041

...Respondent

Judges Summons has filed under Order XIV, Rule 8 of High Court Original Side Rules read with Section 12 of Guardianship and Wards Act., to direct the respondent herein to hand over the passport of the applicant's son Shiv Devan to the applicant so as to renew the passport first and thereafter enable her to take the child abroad for vacation and pass such further or other order as it may deem fit and thus render justice.



For Applicant : Mr.Aravind Subramaniam,
for M/s.Nathan and Associates

For Respondent : Mr.Perumbalur Radhakrishnan,
for Mr.S.P.Vijayaraghavan

ORDER

This application is filed to direct the respondent herein to hand over the passport of the applicant's son Shiv Devan to the applicant so as to renew the passport first and thereafter enable her to take the child abroad.

2. The respondent herein, who is the father of the minor boy, is withholding the passport, without any reason.

3. This Court, *vide* order dated 10.12.2024, directed the respondent to produce the passport, despite a specific order. The respondent has failed to appear before this Court or produce the passport of the minor boy. This amounts to deprivation of the minor boy and the withholding the passport of the minor boy is illegal.

4. The Raja Annamalaipuram Police, where the applicant mother is residing, is directed to register the complaint against the respondent/S.Sakthivel, for holding the passport of the minor boy illegally. Based on the said complaint to the Raja Annamalaipuram Police, Chennai, the petitioner/mother shall make



afresh application for a passport without enclosing the expired passport.

Furthermore, the new passport shall not alter any of the basic information about the minor boy and shall remain the same as in the old passport.

5. Accordingly, this Application No.5406 of 2024 is disposed of.

16-12-2024

Index :Yes/No.
Internet :Yes/No.
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Dr.G.Jayachandran, J.

bsm

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