



WEB COPY



Application No.5823 of 2024

in

O.P.No.487 of 2024

Dr.G.JAYACHANDRAN, J.

This Application is filed by the mother of a minor boy namely, Haren.

2. From the records as well as the application, it is clear that the petitioner and the respondent both having Australian citizenship got separated. The father has instituted petition for granting guardianship of the minor boy and same is pending on the file of III Additional Family Court, Chennai in O.P.No.4428 of 2023. While so, the mother has chosen to file this application for guardianship before the High Court and Interlocutory Application to permit her to take the minor boy to Australia.

3. This Court finds that when petition is filed for guardianship of the minor boy and pending before the III Additional Family Court, Chennai for the very same relief, the application before the High Court is not maintainable.



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Dr.G.JAYACHANDRAN, J.

4. The judicial discipline also requires that there cannot be multiple proceedings before various Courts for the same relief. Hence, O.P.No.487 of 2024 is transferred to III Additional Family Court, Chennai to be tried along with O.P.No.4428 of 2023.

5. Accordingly, the Application No.5823 of 2024 is dismissed.

12.11.2024

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