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A. 6214 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2024

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

A. 6214 of 2024

AARCHA JIJO

D/O.JIJO PUNNOOSE, A 403, BLOCK NO.A, CASA GRAND
CHERRY PICK, GANDHI SOCIETY ROAD, PERUMBAKKAM,
CHENNAI - 600 126.

APPLICANT(S)

Vs

VIPIN VARGHESE AJITH

S/O.AJITH NINAN, D106, D-BLOCK, 10TH FLOOR, DINESH
VIHAR APARTMENTS, THALAMBUR LINK ROAD,
SEMMANCHERRY, CHENNAI - 600 130.

RESPONDENT(S)

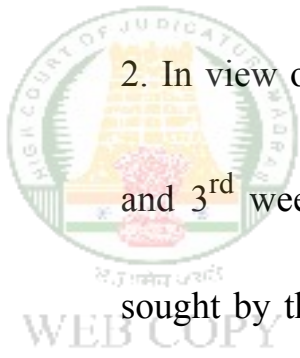
For Applicant(s):

M/S.K.SUMATHI
SANJESH MAHALINGAM
G.S.SIMHANJANA
G.SATHIYA

For Respondent(s): MR.R.S.MANGALA KUMAR

ORDER

The applicant is the mother and the respondent is the father of the minor boy by name Zac Ninan Vipin aged around 10 years. Presently, he pursuing his 5th Standard at St.John's Public School, Chennai.



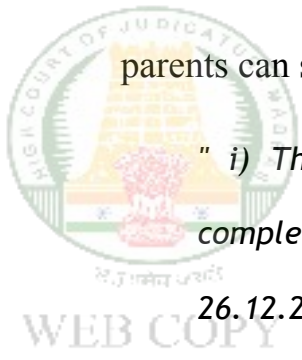
2. In view of two long holidays between 3rd week of December 2024 (Christmas) and 3rd week of January 2024 (Pongal Holidays), the long custody of the child has been sought by the applicant/mother, particularly in her application, she has made her request to

allow her to have the long custody of the child during the entire Christmas Vacation and Pongal Holidays.

3. The learned counsel for the applicant/mother submits that the applicant/mother was deprived of having the company of her son during the previous Christmas Vacation and the Dasara Holidays of this order and therefore she has every justification to seek for long custody during the entire Christmas Vacation and entire Pongal Holidays.

4. The learned counsel appearing for the respondent/father states that the respondent has already planned for a long vacation during Christmas with his family at Cochin and therefore, the entire Pongal Holidays can be allotted to the applicant/mother to have the custody. However, the learned counsel appearing for the applicant/mother submits that if the entire Christmas Vacation to the minor boy is allowed to be with the respondent/father, the applicant/mother would be deprived of celebrating both Christmas and New Year with her son.

5. This submission appears to be more reasonable. Therefore to have satisfaction of being with her son substantially during the period of festival, this Court is of the view that the



parents can share two long holidays among them in the following terms:

- " i) The applicant/mother shall pick up the child on 21.12.2024 soon after completion of his examination and leave back the child to the father on 26.12.2024 at Morning 09.00 a.m;*
- ii) The Saturday prior to Pongal Holidays i.e., 11.01.2025, the mother shall have custody of the child in addition to her regular visitation right of Sundays;*
- iii) The 1st part of Pongal Holidays will be with the father and the 2nd part of the Pongal Holidays i.e., 16.01.2025 and 17.01.2025, the child will be with the applicant/mother to compensate the loss of visitation during the earlier Dassara Holidays, the applicant/mother will have her additional visitation on 18.01.2025 followed by her regular visitation on 18.01.2025 followed by her regular visitation on 19.01.2025 being a Sunday;*
- iv) The respondent/father shall pick up the child and drop him on the days mentioned above;*
- v) During the visitation of the child, the father as well as the mother as the case may be can called the child over phone and have conversation without disturbing the holiday of the minor boy".*

6. With the above direction, this application is closed.

11-12-2024

To
1. VIPIN VARGHESE AJITH
S/O.AJITH NINAN,
D106, D-BLOCK, 10TH FLOOR,
DINES7H VIHAR APARTMENTS,
THALAMBUR LINK ROAD,
SEMMANCHERRY,
CHENNAI - 600 130.



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