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O.S.A.No. 91 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2025

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

O.S.A.No. 91 of 2025
and
C.M.P.No. 5302 of 2025

S.Sakthivel

.. Appellant

VS

Ms. Abirami Kalyanasundaram

.. Respondent

Prayer : Appeal filed under Order XXXVI Rule 1 of Original Side Rules read with Clause 15 of Letters Patent against the fair and decretal order dated 16.12.2024 made in A.No. 5406 of 2024 in O.P.No. 860 of 2016.

For Appellant : Mr. Perumbulavil Radhakrishnan
for Mr.S.P.Vijayaragavan

For Respondent : Mr.M.Aravind Subramanian,
Senior Counsel
for Mr.S.Manoj

JUDGMENT

(Delivered by Dr.ANITA SUMANTH.,J)

We have heard Mr. Perumbulavil Radhakrishnan, learned counsel for the appellant and Mr.M.Aravind Subramanian, learned Senior Counsel, for Mr.S.Manoj, for the respondent.



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DR. ANITA SUMANTH., J.
and
C.KUMARAPPAN., J.

2. In fact, this Original Side Appeal is infructuous seeing as the parties are appearing before the learned Single Judge in the trial in the GWOP.

3. Learned counsel would submit that the sole grievance of the appellant relates to the observation in impugned order dated 16.12.2024 to the effect that the withholding of the passport of the minor child by the appellant / father is illegal. He draws our attention to two orders, one dated 29.03.2019 and another dated 09.11.2021, as per which the father was to hold possession of the passport. On a perusal of the above two orders, we find his statement to be factually correct. The passport had, at any rate, expired and a fresh passport also issued.

4. Recording the aforesaid, this Original Side Appeal is closed. No costs. Connected miscellaneous petition is closed.

[A.S.M., J] [C.K., J]
16.04.2025

Index:Yes/No
Neutral Citation:Yes/No
ssm

To
The Sub Assistant Registrar,
Original Side,
High Court, Madras.

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