



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 29.05.2026

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

A.Nos.2135 & 1285 of 2026 and
Original Application No.216 of 2026 in O.P.No.29 of 2026

Rajesh U,
S/o.Mr.Sathyanarayana.U,
Maruthi Nilayam No.12A,
Venkateshwara Street, Dhanalakshmi Colony,
Vadapalani, Chennai – 600 026.

.. Applicant / petitioner
(in all cases)

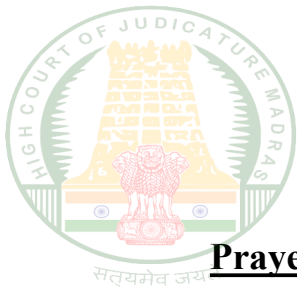
Vs.

Harsha Sathasivom,
D/o.Mr.Swami Sathasivom,
No.23, Perumal Mudali Street,
Kondithope, Chennai – 600 079.

.. Respondent
(in all cases)

Prayer in Application No.2135 of 2026: Petition filed to grant interim custody of the minor child U.Maa Sree Kamakhya, aged 7 years to the Applicant during the summer vacation 15th May 2026 and 20th May 2026 and 29th May to 1st June 2026 on such dates as may be fixed by this Court.

Prayer in Application No.216 of 2026: Petition filed to restrain the respondent from taking Applicant minor daughter Maa Sree Kamakhya away from the jurisdiction of this Court.



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

Prayer in Application No.1285 of 2026: Petition filed to grant interim

custody of the child Maa Sree Kamakhya, on three weekends in a month from Saturday morning 10.00 am to Sunday evening 6.00 pm and 3 days continuously on school holidays and vacation and 4 hours on all auspicious days like birthday, festivals and family function.

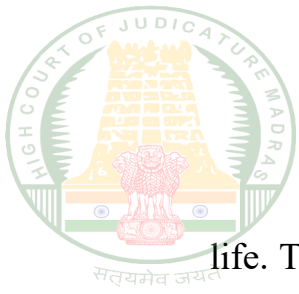
(In all cases):

For Applicant : M/s.D.Kamatchi
For Respondent : M/s.Ambili Menon

COMMON ORDER

Pursuant to the order passed by this Court on 27.05.2026, the respondent produced the child before this Court. This Court interacted with the applicant, respondent as well as with the minor child. The child is exceptionally bright, gifted and has a sense as to what is happening around her. She spontaneously answered all the questions. I noticed that she had some reluctance in the presence of the applicant. Perhaps, it is on account of the long separation for two years between the father and the child. This Court, while dealing with an application for guardianship, will not enter into a blame game, as is common between couples, fighting in Court. This Court is moved only by the best interests of the child.

2.During the course of interaction, it became clear that the applicant and the respondent are not inclined to continue the matrimonial



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

life. The fear of the applicant is that, in the event of going for divorce by

mutual consent, the child will be removed from the jurisdiction of this Court and will be kept away from him. The respondent / mother says such a fear is baseless. Whatever maybe their differences, the saving grace is that both the parents have a great deal of love and affection for the child.

3.The marriage between them is dead for all practical purposes. I am not going into the allegations made by one party against the other. It is unnecessary to this application. Suffice it to state that both the parties do not have any claim against each other and they have exchanged whatever articles that were lying with them. As the parties have arrived at such a conclusion, it is up to them to move an appropriate application under Section 13B of the Hindu Marriage Act and obtain necessary orders from the jurisdiction Family Court.

4. A request was made by the respondent that the Registration Certificate of the Maruti Suzuki Baleno Car bearing Registration No.TN 10 BE 0023 may be returned to her and the applicant immediately agreed to the same. Ms.D.Kamatchi will ensure that the Registration Certificate is handed over to Mrs.Ambili Menon for her to transmit it to the respondent. In addition, the father was clear that whatever articles of his



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

are in his custody are all for his only daughter, the minor involved in this
guardianship petition.

5.Insofar as O.A.No.216 of 2026 is concerned, the applicant seeks for an order of injunction restraining the respondent from taking the minor child away from the jurisdiction of the Court. During the interaction, it became clear that the father has not opposed nor is he opposing the child being taken by the mother to several places around the world. Yet, as there seems to be a deep sense of distrust between the parties, each time the child is being taken out of the jurisdiction of this Court, the mother shall inform the father as to

- (i) the place where the child is being taken,
- (ii) the address where they are going to reside,
- (iii) the duration of travel, and
- (iv) the contact numbers so as to enable the father to contact the child, if he so desires.

6.With respect to Application No.1285 of 2026, the applicant seeks interim custody of the child from Saturday morning to Sunday evening and also during school holidays, vacation. He also seeks to spend some quality time of about four hours on auspicious days like birthdays,



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

festivals and during family functions.

WEB COPY

7. As the father has been separated from the child for over two years and as the bond is yet to be renewed, granting interim custody at present might prove to be counter productive. At the same time, the pleasure that the father will derive by spending time with the child during such days and vacations, cannot be quantified. It is a special bond that exists between the father and the child and the respondent also appreciates as it she is the only daughter for her father.

8.The same situation prevails when seeking the interim custody of the minor child during summer vacations. Hence, Application Nos.1285 of 2026 and 2135 of 2026 are disposed of on the following terms:-

(i)The respondent shall ensure that the child is taken to the Express Avenue (E.A) Mall at Royapettah, Chennai, at 10.00 am every Sunday. The father will spend quality time with the child till 1.00 pm. During the course of this visitation, the mother will not discourage the child from spending time with the father, on the contrary, she shall encourage the child to spend the three hours time that she gets with her father. This arrangement will continue pending the original application.



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

WEB COPY

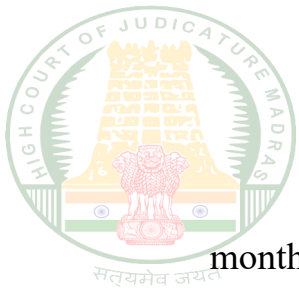
(ii) The first of the visitation will commence on 31.05.2026 at the aforesaid location and at the aforesaid time.

(iii) In case, the child is not in station on the day the father is to exercise the visitation, the parties will mutually agree on a time to meet at the Express Avenue (E.A) Mall, Royapettah, on any other day in the ensuing week, preferably after school hours.

(iv) Both the parties agree that the applicant after informing the respondent, can make video calls on working days and Saturday also, to continue his interaction with the child virtually.

(v) The father expressed his readiness to bear the expenses of the child. The child is studying in an International School in Chennai. The fee particulars of the school, according to the mother, is approximately Rs.5,00,000/-. The respondent shall intimate the applicant regarding the actual amount that the school is charging. The applicant shall directly transfer the amount to the account of the school.

(vi) Apart from this, the father will pay a sum of Rs.15,000/- per



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

month towards the monthly expenses of the child. The amount will be

transferred to the bank account being maintained in the name of the child

viz., U.Maa Sree Kamakhya, A/c.No.1156155000150170, IFSC :

KVBL0001156 maintained at Karur Vysya Bank, Kutchery Road,

Mylapore, Chennai.

(vii) On all birthdays, festival days and function days like Diwali, Pongal and Ugadi, after completing the celebrations at the house of the mother, the father can take the child to his residence at about 11.00 am to 02.00 pm. A similar arrangement will be followed on the birthday of the child (on March 4th) and on the birthday of the father (on May 17th). The applicant's brother, who was a world renowned musician, is unfortunately no more. The applicant states that the remembrance day is being celebrated in a grand fashion at the Music Academy, RK Salai, Chennai, at 6.00 pm in the evening on February, 28th of every year. On this day every year, the respondent shall take the child to the Music Academy and the child shall join in the remembrance day function.

9. With these arrangements, all these applications are disposed of. Being a guardianship matter, the arrangement obviously is interlocutory in nature and capable of being modified by this Court at any time by way



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

of an application, when it is demonstrably shown that the bond between
the father and the child has considerably improved.

29.05.2026

krk/nl

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



WEB COPY



A.Nos.2135 & 1285 of 2026 and Original
Application No.216 of 2026 in O.P.No.29 of 2026

V.LAKSHMINARAYANAN, J.

krk

A.Nos.2135 & 1285 of 2026 and
Original Application No.216 of 2026 in O.P.No.29 of 2026

29.05.2026