

IN THE FAMILY COURT, MAVELIKARA
Present: Sri. Abdul Jaleel.A, Judge
Monday, the 11th day of May 2026/21st Vaisakha 1948

OP No. 2052/2023 (OP(G&W)No.2052/2023)
(Filed on 17.11.2023)

Petitioner:

Salini Raj, aged 25 years, W/o Rahul T, Kamalalayam,
Chunakara P.O., Chunakara, Pin.690 534
By Adv. T.Radha

Respondent:

1. Rahul T, aged 36 years, S/o Thampi K.S.,
Kochuthundil, Konni, Vakayar P.O.,
Pathanamthitta, represented by Power of Attorney
Holder, Sakunthala Thampi, of-do-do-
By Adv.Soni P. Bhaskar(Exparte)

Minor Wards:

1. Adhi Narayanan R, aged 06 years,
(minor, represented by mother Salini Raj),
Kamalalayam, Chunakara P.O., Chunakara, Pin.690 534.
3. Aarush R. aged 03 years ,
(minor, represented by mother Salini Raj),
Kamalalayam, Chunakara P.O., Chunakara, Pin.690 534.

This petition having been finally heard on 20.04.2026 and
the court on 11.05.2026 passed the following:

ORDER

This is a petition filed under section 8 & 9 of the Guardians and
Wards Act for declaration and permanent injunction.

2) The petition averments in brief are as follows:-

The petitioner is the wife of the respondent. The marriage between
the petitioner and the respondent was solemnized on 12.01.2017 at

Varenickal Sree Parabrahmodaya Siva Temple in accordance with the Hindu religious rites and ceremonies. Two children were born in the lawful wedlock and the children are residing along with the petitioner. At the time of marriage the petitioner had received 238 gm gold ornaments from her parents. On 10.01.2017 the petitioner's father had entrusted Rs.2,00,000/- with the respondent as the paternal share of the petitioner. The respondent is working as an escalator operator. After the marriage on several occasions the respondent physically and mentally harassed the petitioner in connection with dowry. On 13.01.2017 the respondent obtained 230 gm of gold ornaments from the petitioner and entrusted with his mother. The respondent is a drunkard and he used the entire earnings of the petitioner for consuming liquor. The respondent is involved in several criminal cases. On several occasions the respondent brutally manhandled the petitioner in drunken condition. The respondent is also a drug addict. On 29.08.2023 the respondent and his mother driven out the petitioner and her children from the home. In spite of demand the respondent did not return the gold ornaments and money.

3) The respondent is not at all concerned with the welfare of the children. The respondent used to administer liquor upon the

mouth of the children. The respondent is not at all ready to provide maintenance to the children. The petitioner is more concerned with the welfare and education of the children. The future of the children will be safe in the hands of the petitioner. The respondent is trying to forcibly take away the children from the custody of the petitioner. Hence the petition is filed for declaring the petitioner as the guardian of the minor children Adhi Narayanan and Aarush. R and also for granting a decree of permanent injunction restraining the respondent from forcibly taking away the children from the custody of the petitioner.

4) The respondent remained ex-parte.

5) The petitioner filed proof affidavit and Exts.A1 to A3 were marked.

6) The petitioner is the wife of the respondent. The marriage between the petitioner and the respondent was solemnized on 12.01.2017 at Varenickal Sree Parabrahmodaya Siva Temple in accordance with the Hindu religious rites and ceremonies. Ext.A1 is the copy of certificate of marriage. Two children were born in the lawful wedlock. The elder son Adhi Narayanan was born on 02.11.2017 and younger son Aarush.R was born on 29.09.2020. Ext.A2 is the copy of the birth certificate of Adhi Narayanan and

Ext.A3 is the copy of birth certificate of Aarush.R. In the case at hand the respondent remained ex-parte and did not contest the case. The petition averments coupled with the proof affidavit filed by the petitioner would show that the future of the minor children will be safe in the hands of the petitioner. Considering the welfare and best interest of the minor children I am of the view that the petition is only to be allowed.

In the result, the O.P is allowed as follows:-

- (a) It is hereby declared that the petitioner is the guardian of the minor children namely Adhi Narayanan. R and Aarush. R.
- (b) Permanent prohibitory injunction is granted restraining the respondent from forcibly taking away the minor children from the custody of the petitioner.
- (b) No order as to costs.

(Dictated to the Confidential Assistant, typed by her corrected by me and pronounced in open court on this the 11th day of May, 2026)

Sd/-
Abdul Jaleel.A
Judge

Appendix:-**Exhibits for the Petitioner**

A1	09.10.2023	Marriage Certificate issued by Mavelikara Thekkekara Gramapanchayat
A2	05.01.2018	Birth Certificate issued by Pathanamthitta Municipality
A3	03.11.2020	Birth Certificate issued by Pathanamthitta Municipality

Witness for the Petitioner

Proof affidavit	27.03.2026	Salini Raj
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Id/-
Judge