



WEB COPY

OP No. 495 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

O.P.No. 495 of 2024

R.Sankal Vishanth
S/o.D.Rajasekar,
Plot No.3031, Z Block, 3rd Street,
13th Main Road, Anna Nagar,
Chennai - 600 040.

..Petitioner(s)

Vs.

C.S.Lakshmi Priya
D/o.Srinivasa Reddy,
Old No.100, New No.38, K.R.Koil Street,
West Mambalam, Chennai - 600 033.

..Respondent(s)

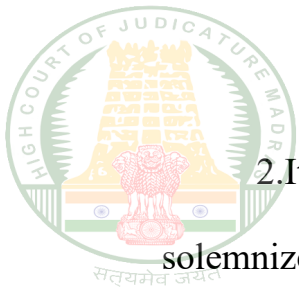
Prayer: Petition filed U/s.10 & 25 of the Guardian and Wards Act, 1890 r/w Order XXI Rules 1 & 2 of O.S. Rules, to declare the petitioner as legal guardian of the person of the minor Akira L.S and grant permanent custody of the minor child Akira L.S. to the petitioner herein.

For Petitioner(s): Mr.R.Rajarajan

For Respondent(s): M/s. Dr.K.Santhakumari

ORDER

This Original petition has been filed by the petitioner / father to declare the petitioner / father as the legal guardian of his minor daughter viz. Akira L.S and grant permanent custody of the minor child Akira L.S. to him.



2.It is submitted by both the parties that marriage between them was solemnized on 31.08.2020 as per Hindu Rites and Customs. Thereafter, the minor child viz. Akira L.S. was born to them out of the wedlock on 10.11.2021 and now the child is in the custody of the respondent / mother.

3.It is further submitted that both the parties have mutually agreed to hand over the custody of the minor child to the petitioner / father and the respondent / mother was vested with visitation rights. The respondent / mother has also filed a proof affidavit before this Court, the relevant paragraphs read as follows:

3.A girl child named Akila L.S was born out of the wedlock on 10.11.2021. Thereafter, due to misunderstanding and incompatibility, we have separated from each other. The petitioner filed the present O.P.No.495 of 2024 praying for the custody and guardianship over minor Akila L.S. There have been matrimonial litigation between us before the Family Court, Chennai.

4.We have settled the matrimonial dispute already by mutual talks. We have jointly filed a petition for divorce by mutual consent before the learned II Additional Family Judge, Chennai in O.P.No.4658 of 2024. We also agreed that the custody of the minor child concerned shall be handed over to the petitioner herein and I shall have visitation rights during Saturdays and Sundays.

5.Accordingly, the counsel, on instruction, stated before this Hon'ble Court about the compromise and the same was recorded by the Hon'ble Court on 03.10.2024 and an order was passed



directing me to hand over the child to the petitioner which I did on 05.10.2024. I have been exercising my visitation rights as agreed above said.”

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4.In view of the above, this Court deems it appropriate to declare the petitioner / father as the legal guardian of the minor child viz.Akira.L.S. for the person and property. The custody of the minor child has been granted to the petitioner / father permanently. The respondent / mother is entitled to the custody of the minor child on all Saturdays and Sundays.

5.The petitioner is directed to hand over the custody of the child at the residence of the respondent / mother on all Fridays at 6.30 p.m. and thereafter the child can be taken back by the father on all Sundays at 6.30 p.m.

6.With the above observations and directions this petition stands disposed of.

21-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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P.DHANABAL, J.

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