

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

M.A.NO.5 OF 2017
(With office report for direction)

IN

TRANSFER PETITION (C) NO.994 OF 2016

JOSEPH TERESA . . . PETITIONER(S)

VS.

CEDRIC VIVEK SELVADURAI . . . RESPONDENT(S)

O R D E R

1. In the order passed by this Court on 09.12.2016, it was inter alia observed as under :

"The aforesaid handing over of custody of the two daughters to the petitioner shall be conditional to the fact, that the petitioner surrenders her passport in the Registry of this Court, within one week from today. The petitioner shall also file a supporting affidavit affirming, that she will not leave India, till handing over of the children to the respondent, and that, she will not remove the children to any other place outside Delhi during the period she is granted custody of her children (except when she would be travelling to Chennai, for returning the children to the respondent)."

2. In obedience to above, the petitioner surrendered her passport before the Registry of this Court. Letter dated 24.1.2017 has been received by the Registry of this Court, from the petitioner, praying therein for return of her passport. It is submitted, that she is entitled to her

passport on account of the fact, that the petitioner has handed over the custody of her children to the respondent.

3. The factual position noticed in the foregoing paragraph is not disputed by the learned counsel for the respondent. He further states, that he has no objection to the restoration of the passport to the petitioner.

4. In view of the above, upon a prayer being made to the Registry, the passport of the petitioner shall be returned to the learned counsel for the petitioner, for onward transmission to the petitioner.

5. M.A.No.5/2017 is allowed and office report for direction is ordered in the above terms.

.....CJI.
[JAGDISH SINGH KHEHAR]

.....J.
[Dr. D.Y. CHANDRACHUD]

New Delhi;
17th August, 2017.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

M.A.No.5/2017 in Transfer Petition (C) No(s).994/2016

JOSEPH TERESA

Petitioner(s)

VERSUS

CEDRIC VIVEK SELVADURAI

Respondent(s)

Date : 17-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Ms. Upasana Kang,Adv.
Mr. Arup Banerjee,AORFor Respondent(s) Dr. Krishan Singh Chauhan,AOR
Mr. Murari Lal,Adv.UPON hearing the counsel the Court made the following
O R D E RM.A.No.5/2017 is allowed in terms of the signed
order.(Sarita Purohit)
Court Master(Renuka Sadana)
Assistant Registrar

(Signed order is placed on the file)