

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP(C).No. 912 of 2015 (O)

(SOP 24/2013 of III ADDL.SUB COURT, ERNAKULAM)

PETITIONER/PETITIONER IN SOP:

1. SAJITHA M.C., AGED 39 YEARS,
W/O.LATE SRI. A.K.SATHYANARAYANAN
ANGALUR (SATHYAGIN) KANNIYAMPURAM
OTTAPALAM - I, PALAKKAD DISTRICT NOW RESIDING
AT SREE VALLABHA APARTMENTS
63, JAWAHAR NAGAR, KADAVANTHARA
KOCHI - 682020.
2. SIDHARTH SATHYANARAYANAN, AGED 12 YEARS
S/O.LATE A.K.SATHYANARAYANAN, S/O.A.K.KANNAN
ANGALUR (SATHYAGIN), KANNIYAMPURAM
OTTAPALAM - I, PALAKKAD DISTRICT NOW RESIDING WITH THE
FIRST PETITIONER AT SREE VALLABHA APARTMENTS
63 JAWAHAR NAGAR, KADAVANTHARA,
KOCHI - 682020 REPRESENTED BY MOTHER AND
NATURAL GUARDIAN 1ST PETITIONER.
3. KOCHUNARAYANI, AGED 77 YEARS
W/O.LATE SRI. A.K.KANNAN
ANGALUR (SATHYAGIN) KANNIYAMPURAM
OTTAPALAM - I, PALAKKAD DISTRICT NOW
AT SREE VALLABHA APARTMENTS
63 JAWAHAR NAGAR, KADAVANTHARA, KOCHI - 682020.

BY ADV. SRI.B.JAYASANKAR

RESPONDENTS/RESPONDENTS IN SOP:

1. VIJAYA A.K., AGED 51 YEARS
D/O.A.K.KANNAN, FLAT NO. 502, KALPANAN HOUSING SOCIETY
NDR 16, OPP. BUILDING NO. 36, THILAK NAGAR
CHEMBUR, MUMBAI - 400 089.
2. VALSA A.K., AGED 49 YEARS,
D/O.A.K.KANNAN, INDEEVARAM, ASHRAMAM ROAD,
KALADY - 683574, ERNAKULAM DISTRICT.

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3. GIRISH A.K., AGED 39 YEARS,
S/O.A.K.KANNAN, PLOT NO.18
5H CROSS SARASWATHIPURAM LAYOUT, AREKERE
BANNARGHATT ROAD, BANGALORE - 560078.

4. GIRIJA.A.K., AGED 39 YEARS
W/O.PC. RAJKUMAR, PALUKKASSERY HOUSE, VIYYUUR PO
THRISSUR.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- P1: A TRUE COPY OF THE SOP NO.24/2013 ON THE FILES OF THE 3RD
ADDITINAL SUB COURT ERNAKULAM FILED BY THE PETITIONERS.
- P2: A TRUE COPY OF THE ORDER DATED 03.04.2014 PASSED BY THE
LEARNED SUB JUDGE IN SOP.24/2013.
- P3: A TRUE COPY OF IA.NO.2372/2014 IN SOP.NO.24/2013 DATED
16.06.2014 ON THE FILES OF THE 3RD ADDL. SUB COURT,
ERNANKULAM FILED BY THE PETITIONERS.
- P4: A TRUE COPY OF THE UNDERTAKING DATED 17.02.2014 FILED BY
THE PETITIONERS BEFORE THE LEARNED SUB JUDGE IN SOP 24/2013
- P5: A TRUE EXTRACT OF THE ORDER DATED 18.03.2015 PASSED BY THE
LEARNED SUB JUDGE IN SOP.24/2013.

RESPONDENTS' EXHIBITS: NIL.

// True copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.912 OF 2015

Dated this the 9th day of April, 2015.

J U D G M E N T

Learned counsel appearing for the petitioners makes a request before this Court that as per the direction of this Court dated 31.03.2015, 1/3rd share of the amount has been deposited in the Bank in the name of the minor showing lien to the court and the interest accrues on that 1/3rd share of the amount may be allowed to be withdrawn by the natural guardian, who is the mother of the minor, in whose name the succession certificate has been issued, for the purpose of maintenance of the minor.

2. The request seems to be just and reasonable. The natural guardian of the minor who is the mother at present, is permitted to withdraw the interest that accrues on 1/3rd of the share of the amount deposited in the Bank in the name of the minor and to utilise it for the maintenance of the minor.

This original petition is disposed of.

Sd/-

**P.BHAVADASAN
JUDGE**

smp