

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

Civil Revision Petition No.235 of 2011

ORDER:

This Civil Revision Petition is filed challenging the order dt.27.07.2010 in O.S.No.1233 of 2008 of the Additional Junior Civil Judge-cum-XVIII Metropolitan Magistrate, Cyberabad at Malkajgiri, appointing an advocate by name Smt Prabhavathi as a guardian of the 3rd respondent, who was said to be a minor on the date of passing of the said order.

Counsel for the petitioner contends that the 3rd respondent/defendant was not a minor on the date when the said order was passed and that he was a major.

No material is filed before the trial Court as well as this Court to establish the age of the 3rd respondent. Notice sent to the 3rd respondent by this Court has been served, but there is no representation for the 3rd respondent. The petitioner has also not chosen to implead the advocate, who has been appointed as a guardian of the 3rd respondent.

Since there is no material to establish that the 3rd respondent/defendant was a major on the date when the impugned order was passed, I see no merits in the Revision.

Accordingly, the Civil Revision Petition is dismissed. However, it is open to the petitioner to file an application in the Court below to discharge the guardian by producing proof that the 3rd respondent/defendant has attained majority either by the date impugned order passed or as on today. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall

stand dismissed.

M.S.RAMACHANDRA RAO, J

30th June, 2015.

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