

O.P.No.159 of 2015**M.M.SUNDRESH, J**

This petition has been filed under Sections 3, 7 to 10 and 29 of the Guardian and Wards Act, 1890 read with Order XXI Rule 2 and 3 of O.S.Rules to appoint the petitioner as guardian of the Minor, namely, K.S.Subash, property of the minor and permit the petitioner to receive the amount due under the LIC Policies.

2. The petitioner is the paternal uncle of the minor Child K.S.Subash. The petitioner is the sister's husband of the deceased K.Sundaresan, who is the father of minor child.

3. From the averments and the evidence adduced, it is seen that both the parents of the minor child, aged about 16 are no more, as is the case of his grand parents.

4. **After completion of the formalities, the petitioner was examined as P.W.1 . In his evidence, he has reiterated what are all stated in the petition. While deposing, he marked 8 documents as Exs.P1 to P8. Ex.P1 is the photocopy of birth certificate in respect of a minor child, K.S.Subash, who born on 08.05.1998. Ex.P2 is the**

original death certificate in respect of mother of the minor child S.Bharneeswari, who died on 09.10.2012. Ex.P.3 is the original death certificate in respect of father of the minor child K.Sundaresan, who died on 10.08.2014. Ex.P.4 is the original legal heirship certificate dated 17.10.2014 in respect of K.Sundaresan (father of minor child) issued by Tahsildar, Sriperumbudhur. Ex.P.5 is the photocopy of LIC Policy bearing No.715909481 held by the father of the minor child K.Sundaresan. Ex.P.6 is the photocopy of LIC Policy bearing No.718887562 held by the father of the minor child K.Sundaresan. Ex.P.7 is the photocopy of LIC Policy bearing No.708005677 held by the father of the minor child K.Sundaresan. Ex.P.8 is the Declaration of Willingness of the petitioner to accept the office of the Guardian of the Person and Property in respect of minor child K.S.Subash.

5. The learned counsel appearing for the petitioner submits that the minor child K.Subash is living with the petitioner at present. The petitioner is the man of sufficient means to take care the need of the minor child.

6. Considering the submissions and the averments made,

especially, Exs.P.1 to P.8, this Court is satisfied with the submissions made. There is no contra material to come to a conclusion that allowing the petition is not the interest of the child. It also appears that there is no other person to take care the minor and the minor child is also stated to be living with the petitioner at present.

7. Accordingly, this original petition is ordered as prayed for.

22.08.2016

ssd

M.M.SUNDRESH, J.,

ssd

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