

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 07TH DAY OF JUNE 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

O.P.Nos.78 and 83 of 2018

O.P. No.78 of 2018

In the matter of Guardian and
Wards Act,

And

In the matter of minor
J.Christopher Emmanuel (Male)

Evelyn John,
residing at No.6/69D,
Chitirai Street, Chinmaya Nagar Stage 2,
Virugambakkam, Chennai-600 092. ... Petitioner

Original Petition praying that this Hon'ble Court
may be pleased:-

a) that the petitioner Evelyn John may be appointed as
Guardian of the person and of the property to the above
said minor CHRISTOPHER EMMANUEL (Male) fully described in
the schedule hereunder.

b) that the petitioner herein may be permitted to
enter into a joint venture agreement for demolition of the
existing building and for construction of apartment in the
schedule property which form part of property of the minors
of the petitioner and also of the property of the minors of
the petitioner's brother.

O.P. No.83 of 2018

In the matter of Guardian and
Wards Act, 1890

And

In the matter of minors
S.Deborah Susan Pearl (Female)
and S.Reuel David Alexander
(Male)

R.Stephen Samuel Alex,
 Previously residing at No.15/8,
 3rd Street, Thillaiganga Nagar,
 Nanganallur, Chennai-600 061
 and now residing at No.6/69D,
 Chitirai Street, Chinmaya Nagar Stage 2,
 Virugambakkam, Chennai-600 092.

... Petitioner

Original Petition praying that this Hon'ble Court may be pleased:-

a) that the petitioner J.Stephen Samuel Alex may be appointed as Guardian of the person and of the property to the above said minor S.Deborah Susan Pearl (Female) and S.Reuel David Alexander (Male) fully described in the schedule hereunder.

b) that the petitioner herein may be permitted to enter into a joint venture agreement for demolition of the existing building and for construction of apartment in the schedule property which form part of property of the minors of the petitioner and also of the property of the minors of the petitioner's sister.

These Original Petitions coming on this day before this court for hearing, the Court made the following order:-

The petitioners who are the parents of their respective minor children seek to appoint as Guardian of the person and property of the minors for the purpose of developing the property belonging to the minors.

2. The property in question belonged to the grand mother of the minors Mrs. Lilly Chandra Richard under the

had executed a settlement deed dated 07.05.2004, in and by which she had settled the property on her grand children providing a life estate for her son, daughter (Petitioners herein) and her husband. The settlor died on 18.03.2017. The husband of the settlor Mr. Richard Sam Alex has also filed an affidavit for relinquishing his life estate.

3. The petitioners, who are the parents of the minor children have also stated in the original petition as well as the proof affidavit that they have relinquished the life estate in favour of the minors. Though in the original petition a prayer has been made for permission to enter into a construction agreement, in the proof affidavit, it is stated that the petitioners do not propose to alienate any part of the property. All that they want to do is to demolish the existing construction and put up new construction so that the families can reside in independent portions.

4. Considering the said statement, I find that such development will be in the interest of minors. Hence, this application is allowed, the petitioners are appointed as guardians of the person property of the minors namely, J.Christopher Emmanuel (OP.No.78 of 2018), S.Deborah Susan Pearl and S.Reuel David Alexander (O.P.No.83 of 2018) permitting them to apply for demolition of the existing

building and construction of new building for the benefit of the minors.

Sd/-R.S.M.J
07/06/2019

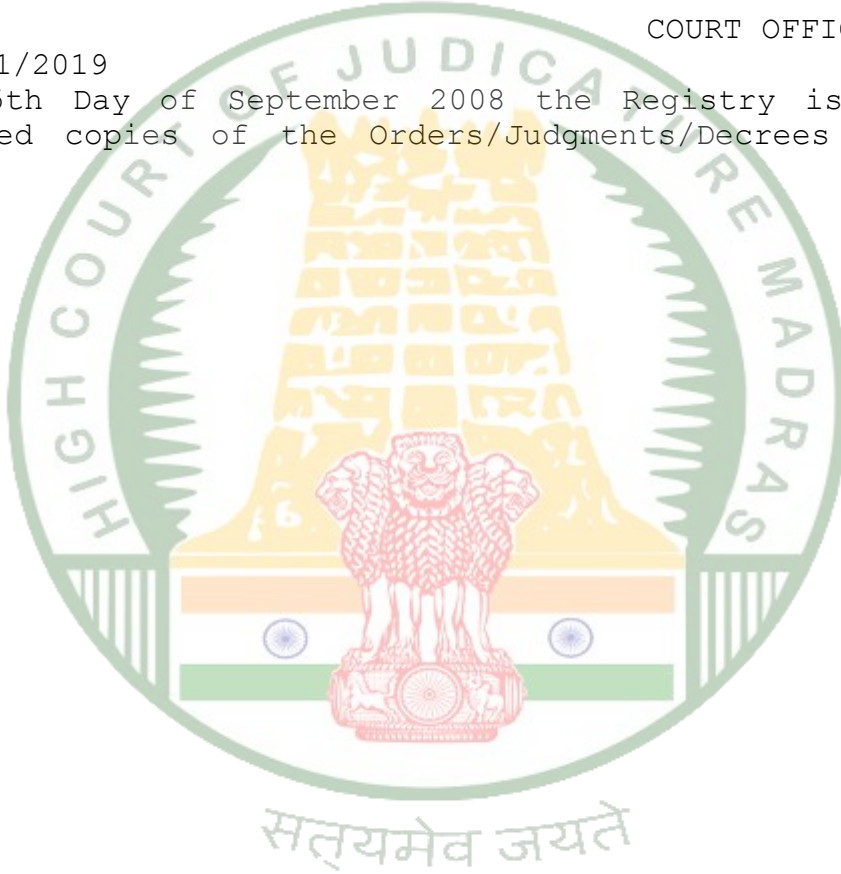
//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

jj 05/11/2019

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