

O.P.No. 520 of 2019

R.SUBRAMANIAN, J.

The petitioner seeks permission to sell the share of the minors in the property.

2. The property in question belonged to Mr.G.Rajesh Praveen, the husband of the petitioner and father of the minors. The said Rajesh Praveen died on 12.11.2013 leaving behind his wife, R.Dillirani, his mother namely, B.Nirmala Devi and two minor daughters namely, G.R.Deepitha Mary and G.R.Selvi Samantha Jasmine, who are aged about 9 years and 7 years respectively. These persons being Class-I heirs are entitled to 1/4th share each in the property inherited by them on the death of G.Rajesh Praveen. The petitioner would submit that she being a house wife unable to maintain the children in the absence of any income and therefore, the legal heirs have decided to sell the property and deposit the minors' shares in the sale proceeds in any income earning securities so as to enable her to maintain the minors. The petitioner has examined herself as P.W.1. She has produced the death certificate of her husband G.Rajesh Praveen as Ex.P2 and legal heirship certificate as Ex.P3. She has deposed about the necessity to sell the property and had found an intending

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purchaser. An affidavit of a third party showing the value of the property has also been filed. According to the same, the value of the property is about Rs.4,60,000/-(Rupees Four Lakhs Sixty Thousand only).

3. Considering the evidence available, I find that the sale of the property will be in the interest of the minors. Hence, this original petition is allowed permitting to sell the minors' shares of the property subject to condition that the minors' share in the sale proceeds shall be deposited in an income earning security in any one of the nationalized banks with the provision for automatic renewal till the minors attain majority. The share of the minors to be deposited shall not be less than Rs.2,30,000/-. The petitioner is permitted to withdraw the interest accruing in the fixed deposits on yearly basis.

31.07.2019

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