

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.06.2020

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

O.P.No.200 of 2020

Ramesh M. R

... Petitioner

Prayer: Original Petition filed under Clause XVII of the Amended Letters Patent of 1865 praying that this Court may be pleased to appoint the petitioner herein as guardian and manager of the person and the immovable assets, more fully set out in the schedule.

For petitioner : Mr.Govind Chandra Sekhar

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ORDER

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The above Petition is filed for appointing the petitioner as Guardian of mentally ill person Ms.Soumini who is the mother of the petitioner. From a reading of the petition, it appears that the petitioner is the eldest

son of the Mr.Rama Varma and M.Soumini. The said Soumini is aged about 68 years and from 27.06.2018 she has been diagnosed with progressive Alzheimer's Dementia. As a result of which her speech and thought process have become severely impaired. On account of the above she has become incapable of making rational choices. The Doctors have certified that her mental condition is irreversible. Apart from the petitioner, the said Rama Varma and Soumini have another son one Suresh. The father and the brother of the petitioner have also given their consent for having the petitioner appointed as the guardian of person and property of the said Soumini.

2.The petitioner has examined himself as P.W.1 and documents in respect of the properties standing in the name of M.Soumini (Xerox copies) have been marked as Ex.P.1 and Ex.P.2. The above said documents have been marked after verifying the same with the originals. The MRI Scan report dated 09.04.2018 has been marked as Ex.P.3 and the PET CT Scan report has been marked as Ex.P.4. The opinion of the Doctor dated 27.06.2018 has also been marked as Ex.P.5. Ex.P.3 to Ex.P.5

have been marked after comparing the same with the originals. Ex.P.6 and Ex.P.7 are the consent affidavits which have been given by the petitioner's father V.K.Rama Varma and his brother M.R.Suresh respectively. The photocopy of the driving license has been marked as Ex.P.8 and Ex.P.9 is the affidavit of declaration and willingness given by the petitioner.

3. On perusing the petition and documents it is clearly evident that the said M.Soumini is incapable of making rational choices as the condition is irreversible. The husband and the other son of the said M.Soumini have no objection to this Court appointing the petitioner as the Guardian of the person and property of the said M.Soumini. In these circumstances, the above petition is ordered as prayed for. No costs.

Internet : Yes/No
Index : Yes/No
Speaking / Non-Speaking
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