

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 29TH DAY OF JANUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.NOS.365 AND 366 OF 2020

IN

O.P.No.134 of 2019

In the matter of Sec.29 of the
Guardian and Wards Act, VIII
of 1890

And

In the matter of permission to
sell the minor's property
Miss.Jasima Parveen aged about
16 years and Miss.Syeda
Parveen aged about 12 years.

Mr.Syed Zahir Hussain,
S/o.Syed Ibrahim,
29/A, Kovil Street,
Kodavasal, Thiruvarur-612 601. ...Petitioner

A.Nos.365 and 366 of 2019:

1.Mr.Syed Zahir Hussain,
S/o.Syed Ibrahim,
29/A, Kovil Street,
Kodavasal, Thiruvarur-612 601. ..Applicant /Petitioner
in both applications

2. JASIMA PARVEEN
D/o.Mr.Syed Zahir Hussain,
29/A, Kovil Street,
Kodavasal, Thiruvarur-612 601. Applicant
in both applications

A.No.365 of 2020:

Application praying that this Hon'ble Court may be
pleased to declare 2nd applicant as the major in O.P.No.134
of 2019.

A.No.366 of 2020:

Application praying that this Hon'ble Court may be
pleased to discharge guardian of erstwhile minor Jasima
Parveen in O.P.No.134 of 2019.

Applications coming on this day before this court for hearing the court made the following order:

These applications are filed to declare the second applicant as a major and to consequently discharge the guardian of the erstwhile minor Jasima Parveen in O.P.No.134 of 2019.

2. I heard the learned counsel for the applicant. The learned counsel submitted that, by order dated 26.04.2019, O.P.No.134 of 2019 for the appointment of the applicant as the guardian of the person and property of the minor children viz., Ms.Jasima Parveen and Ms.Syeda Parveen was allowed subject to the condition that the minor's share of the sale consideration which aggregated to Rs.13,12,500/- should be deposited in a fixed deposit account in any Nationalized Bank till they attain the age of majority. He further submitted that even before the property could be brought to sale and the sale proceeds realized therefrom, Ms.Jasima Parveen attained the age of majority. Therefore, he contended that the present applications were filed.

3. I considered the submissions of the learned counsel for the applicant and examined the evidence recorded in the matter. I find that the birth certificate of Ms.Jasima Parveen was marked as Ex.P12 and this document specifies that her date of birth is 20.09.2001. Similarly, her student identity card has been marked as Ex.P7 and her Aadhar card is marked as Ex.P5. Both these documents also reflect her date of birth as 20.09.2001.

4. Accordingly, it is clear that she is a major as on date. The learned counsel for the applicant also referred to the fixed deposit receipt issued by the Indian Overseas Bank showing that a sum of Rs.7,00,000/- has been deposited in the name of the other minor viz., Ms.Syeda Parveen, in compliance with the order dated 26.04.2019.

5. In view of the aforesaid, I am of the view that these applications are liable to be allowed. Accordingly, the following orders are issued:

(i). The second applicant in A.No.365 of 2020 viz., Ms.Jasima Parveen is declared as a major.

(ii). Consequently, Mr.Syed Zahir Hussain, who was appointed as guardian of Ms.Jasima Parveen is hereby discharged as guardian.

Sd/.S.K.R.J.

29.01.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/30.01.2020

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.