

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Application No.2073 of 2020
in O.P.No.1010 of 2019

R.Revathi

Applicant

...
versus

1.Kandasamy
2.R.Sulochana
3.M.Ganthimathi
4.S.L.Narayanamurthy
5.N.Suriyanarayanan

Respondents

Prayer: Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(1)(i) of the Arbitration and Conciliation Act, 1996, to appoint R.Ravi as a guardian to represent the 3rd respondent/wife in O.P.No.1010 of 2019.

For Applicant : M/s.M.Vidya

For Respondents : Mr.S.Raghavan for R2

Mr.V. Balasubramanian for R4 & R5

M/s.A.S.Balaji for R1

ORDER

This application has been filed to appoint the husband of the third respondent as the guardian of the third respondent on the ground of mental illness, psychosis and lack of orientation of the third respondent

2. It is the contention of the applicant that third respondent is suffering from unsound mind and therefore, she is not in a position to act on her own and take decision on her own. Hence, this application to appoint the husband of the third respondent as her Guardian.

3. The parties are also present before this Court through video conferencing on 17.08.2020 and some preliminary questions have been posed to the third respondent. Though she appears to be normal, she is not able to answer preliminary questions put by this Court. That apart, medical certificates have also been filed to show that she has serious disorder and she is undergoing treatment.

4. The learned counsel for the respondents has no objection in appointing the husband of the third respondent as the guardian of the third respondent.

5. In such view of the matter, the Mr.Ravi, who is the husband of the third respondent, is appointed as a guardian of the third respondent.

6. Accordingly, the application is ordered.

7. It is submitted by both sides that they have no objection for referring the matter for arbitration to arrive at some consensus to have a common arbitrator and for such exercise, time is sought.

8. According the matter is posted on 21.09.2020.

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sri / vrc

Note : Registry is directed to carry out the necessary amendments.

N.SATHISH KUMAR, J.

sri/vrc



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