

**O.P.No.286 of 2021****V.PARTHIBAN, J.**

This Petition has been filed under Sections 3 and 7 to 10 of the Guardians and Wards Act, 1890 read with Order XXI Rule 2 and 3 of Original Side Rules, seeking appointment of the petitioner as a Guardian of the person of the minor Sai Krishna aged about 14 years.

2. The case of the petitioner is that she is the second wife of the late Ashok Kumar who died on 28.08.2020. The marriage between her and the said Ashok kumar was solemnized on 18.02.2018. At the time of marriage, the said Ashok Kumar has a minor son viz., Sai Krishna. The minor son was born to the first wife of the late Ashok Kumar, who died on 08.03.2017. Now, the petitioner and the minor Sai Krishna are living at No.E146 12th 1st Cross Street, Periyar Nagar, Chennai 600 082. The minor Sai Krishna is aged about 14 years and studying 8th Standard. According to the petitioner, she is the only person to take care of the educational expenses and all the welfare of the minor son as a step mother. Therefore, the petitioner is before this Court seeking to appoint her as a guardian of the minor son Sai Krishna.



The respondent who is the brother of the petitioner's husband late Ashok Kumar has also no objection for appointing the petitioner as a guardian of the minor son Sai Krishna.

3.The petitioner, who examined herself as P.W.1, reiterated the averments made in the petition and marked Ex.P.1 to P.10. Ex.P1 is the computer generated birth certificate of A.Sai Krishna, who was born on 06.04.2007. Ex.P2 is the computer generated death certificate of K.Udhaya Chandrika, who died on 08.03.2017. Ex.P3 is the Marriage Invitation Card for the marriage took place between K. Ashok Kumar and N.Saraswathi on 04.02.2018. Ex.P4 are the photographs. Ex.P5 is the computer generated death certificate of K.Ashok Kumar, who died on 28.08.2020. Ex.P6 is the photocopy of her Aadhar card bearing No. 9549 5868 8318. ExP7 is the photocopy of the Aadhaar card of Sai Krishna, bearing No.2687 7311 8712. Ex.P8 is the photocopy of the Rental Agreement dated 28.01.2021 entered into for the period 15.09.2020 to 14.08.2021. Ex.P9 is the declaration of willingness given by her. Ex.P10 is the consent affidavit given by the respondent.



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4. Considering the averments made in the petition and on perusing the materials available on record, this Court is of the opinion that the petitioner is entitled for the relief as sought in the petition.

5. Accordingly, this petition is ordered, the petitioner is appointed as the Guardian of the person of the minor Sai Krishna. The petitioner shall execute a Guardian Bond for a sum of Rs.25,000/- in favour of Assistant Registrar O.S.(II), High Court, Madras.

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