

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Original Petition No.262 of 2015

Jothimalar,
W/o.Late Vijayaraghavan,
No.1/12, Indira Nagar,
2nd Cross, Manachanallur,
Trichy - 625 105.

Petitioner

versus

1.Rajeshwari,
Plot No.82, 12th Cross Street,
Padmavathi Nagar,
Madambakkam, Chennai - 126.

2.Jayanthi,
Plot No.82, 12th Cross Street,
Padmavathi Nagar,
Madambakkam, Chennai - 126.

3.Chitra,
No.2/59, North Street,
[Near Azhudaiyur Kovil],
Uyyakondan Thiurmalai,
Tiruchirapalli - 102.

4.Sankaranarayanan,
No.20A/1, Kavalkaran Street,
Thennur, Trichy - 17.

5.Sujatha Sai Geetha,
No.31/3, Annai Illam,
Thiruvallur Nagar,
1st Main Street, Palaganatham,
Madurai - 3.

6.Vijayalakshmi,
No.4/61, Agaraharam,
Thillaissthanam, Thiruvaiyaru.

7.Sumithra,
No.B4/2A, Asvini Amarisa Apartments,
No.77, Kalasathamam Koil Street,
Ramapuram,
Ambathur, Tiruvallur-600 089.

8.Kumarie,
No.7/2, Pillayar Kovil Street,
Sanjeevi Nagar, Trichy - 2.

9.Saravanan,
Plot No.105, First Floor,
RVS Nagar, Khajamalai Main Road,
Trichy - 2.

10.Sridhar Gopalan,
No.17/2, Pillaiyar Kovil Street,
Sanjeevi Nagar, Thrichy-02.

11.Manikandan,
No.7, Gandhi Avenue,
Purasaiwakkam,
Chennai - 600 084.

...

Respondents

[R-1 to R-11 impleaded as per order dated 22.11.2016 in A.No.7848 of 2015 and order dated 24.11.2017 in O.P.No.262 of 2015]

Prayer: Petition filed under Sections 3, 7 to 10 and 29 of the Guardian Act, 1890 read with Order XXI Rule 2 and 3 of the Madras High Courts Original Side Rules, seeking for the following reliefs;

- i. to appoint the petitioner as natural guardian for the property of the minor;
- ii. permitting the petitioner to sell the minor's property in the schedule as per the Agreement for Sale dated 27.01.2015 along with other family members; and
- iii. permitting the petitioner to invest the said amount in the name of the minor in any Nationalized Bank.

For Petitioner : M/s.Swapna Sundari
for Mr.T.Sai Krishnan

For Respondents : M/s.R.Vijayalakshmi
Mr.M.Hynul Fathima

ORDER

Today, when this Original Petition is taken up for hearing, the learned counsel appearing for the petitioner appeared before this Court through Video Conferencing. She has filed a Memo for granting permission to withdraw this Petition.

2. It was stated in the Memo that already the minor Balasubramanian, for whom, the Guardian Original Petition was filed, is now a Major, aged about 20 years and the property has already been sold along with the share of the minor and the respondents.

3. Now, on considering the said averment, it is made clear that the prayer sought for by the petitioner becomes infructuous. Hence, the said Memo is recorded, further, in such view of the matter, it is necessary to grant permission to the petitioner to withdraw this Petition.

4. Thus, in view of the above, this Original Petition is dismissed as withdrawn. However, there is no order as to costs.

24.03.2021

Speaking order / Non-speaking order
Index : Yes / No

sri

R.PONGIAPPAN, J.

sri



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