



O.P.No.171 of 2022

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KRISHNAN RAMASAMY.J.

This Petition has been filed under Section 8(2) Hindu Minority and Guardianship Act, 1956 read with Order XXI Rule 2, 3 and 5 of Original Side Rules, a) to permit the petitioner to sell the Minor S.Tanishaa's 1/6th share for a consideration of Rs.28,33,333/- (Rupees Twenty-Eight Lakhs Thirty-Three Thousand Three Hundred and Thirty-Three Only) in favour of Mr.R.Parameshwaran, (b) Permit the petitioner to deposit the sale proceeds in the name of the minor in any nationalised bank, until she attains the age of majority, (c) And pass such other further or other Orders, this Hon'ble Court deems fit under the circumstances of the case.

2.In the petition, it is stated that the petitioner along with her husband, late C.R.Sridhar Rao purchased the schedule mentioned property. The petitioner and her husband, late C.R.Sridhar Rao had entered into an Agreement of Sale with Mr.R.Parameshwaran, on 09.12.2021, during the life time of the petitioner's husband, to sell the schedule property for a sum of Rs.1,70,00,000/- (Rupees one Crore and Seventy Laksh Only). The petitioner's husband passed away on 26.01.2022. The petitioner's husband



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has a share of Rs.85,00,000/- over the suit schedule property. The legal heirs of the deceased C.R.Sridhar Rao are his wife and their two children, viz., Mr.S.Lakshman Rao, aged 20 years and Minor.S.Tanishaa, aged 16 years. Minor T.Tanishaa, who is a Minor aged about 16 years is entitled to 1/3 rd share in her father's share of Rs.85,00,000/-. Since the petitioner is in need of money for meeting out the educational expenses of her children, she has filed the present petition for the relief stated supra.

3.The petitioner, who examined herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P12:

(1) Ex.P1 is the photocopy of the Sale Deed dated 09.10.2013 executed in favour of Mr.C.R.Sridhar Rao, registered as Doc.No.2452 of 2013 at SRO, Adyar

(2) Ex.P2 is the photocopy of the Agreement for Sale dated 09.12.2021

(3) Ex.P3 is the computer generated loan sanction letter dated 20.01.2022

(4) Ex.P4 is the online E-tax payment receipt dated 08.01.2022 bearing



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No.B10764444.

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(5) Ex.P5 is the online E-tax payment receipt dated 08.01.2022 bearing No.B10766006.

(6) Ex.P6 is the online registration department acknowledgment dated 24.01.2022.

(7) Ex.P7 is the online registration department acknowledgment dated 24.01.2022.

(8) Ex.P8 is the computer generated death certificate of C.R.Sridhar Rao.

(9) Ex.P9 is the computer generated legal heirship certificate of C.R.Sridhar Rao.

(10) Ex.P10 is the online valuation report dated 26.02.2022.

(11) Ex.P11 is the photocopy of my Aadhaar card

(12) Ex.P12 is the photocopy of the Aadhar card of my minor daughter Tanishaa

She has also stated that she has not filed any other petition before any other Court seeking the same relief.



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4.Considering the fact that the petitioner and her husband, late.C.R.Sridhar Rao are the owners of the schedule mentioned property and that late C.R.Sridhar Rao had entered into the sale agreement during his life time on 09.12.2021 and died on 26.01.2022, this Court is of the opinion that the petitioner is entitled for the relief as sought for in the petition.

5.In fine, this petition is ordered, permitting the petitioner to sell the Minor S.Tanishaa's 1/6th share for a consideration of Rs.28,33,333/- (Rupees Twenty-Eight Lakhs Thirty-Three Thousand Three Hundred and Thirty-Three Only) in favour of Mr.R.Parameshwaran. The petitioner is permitted to receive the benefits on behalf of the minor and deposit the same in any nationalised bank, until the minor attains majority. The petitioner is also permitted to withdraw the interest for the welfare of the minor once in three months. 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.

20.06.2022

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