



C.V.KARTHIKEYAN,J.

This petition has been filed under Sections 3, 7 to 10 & 29 of the Guardians and Wards Act VIII of 1890 read with Rules 2 & 3 of the High Court Rules, seeking to be appointed as guardian of two minor children, Nikkaash now aged about 11 years and his sister Pradiksha, now aged about 7 years. They are the children of E.Suresh and S.Geetha. They were born on 28.05.2010 and 31.07.2014 respectively.

2.The father of the children, E.Suresh died on 12.07.2018 and just before that his wife S.Geetha died on 09.06.2018. The petitioner is the sister of the E.Suresh. The parents of S.Geetha namely, M.Babu and B.Kamatchee had died long back. It is stated that E.Suresh was residing in the property given in schedule to the petition namely, the premises at Plot No.551-B T.N.H.B Anna Nagar Scheme, bearing old door No.103/2 and new door No.6/2, 19th street, L Block, Anna Nagar East, Chennai - 102 and the petitioner has now let out the said property for rent at Rs.15,000/- and stated that the said amount would be used for the maintenance of the two children. It is stated that there is also an agricultural property at Perungalathur Village, Arakonam Taluk, the details of which are also given in the schedule to the



petition. The petitioner seeks that she may be entitled to sell the share of the minors along with the other brothers of E.Suresh. The petitioner had very clearly stated that she has no adverse interest against the minors. The minors are now studying in Class VII and IV. She had undertaken to continue with their education and take care of their needs.

3.To substantiate her claims, the petitioner examined herself as PW-1. The Family card of E.Suresh and S.Geetha was marked as Ex.P1. The birth certificate of S.Nikash was marked as Ex.P4 and the birth certificate of S.Prathiksha was marked as Ex.P5. The death certificate of E.Suresh and S.Geetha were marked as Exs.P6 and P7. The legal heirship certificate of E.Suresh was marked as Ex.P8. The declaration of willingness to accept the office of guardian was marked as Ex.P12.

4.In view of the evidence presented, this Original Petition stands allowed as prayed for.

5.If at all the 2nd item of the property as described in the schedule to the petition is sold, the sale consideration to the extent of the share of the two minors shall be deposited in fixed deposit in any nationalized bank and



the fixed deposit receipts should be handed over to the Registry. The petitioner may be permitted to withdraw the interest once in every quarterly for necessary expense and maintenance of the two minors. On attaining the age of majority, the minors shall be granted permission to withdraw the amount deposited in the fixed deposit.

6.The petitioner is directed to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in favour of Assistant Registrar (OS – II), Madras High Court.

28.10.2022

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O.P.No.514 of 2022

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