



O.P.No.616 of 2021

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P.VELMURUGAN, J.,

This petition has been filed under Sections 8(2) of the Hindu Minority and Guardianship Act, 1956 to permit the petitioner to execute a sale deed on behalf of the minor Amartya Karthi Sreenivas who is having 10% share in the property situated at Door No.188 /296, TTK Road, Parthasarathy Garden, Teynampet, Chennai – 600 018 admeasuring 1 ground and 2235 sq.ft. and also to permit the petitioner to deposit the sale proceeds in the name of the minor in any nationalized bank.

2. The Master Amartya Karthi Sreenivas is a minor aged about 11 years and the petitioner who is the father of the minor is the natural guardian of the minor. The property is situated at Door No.188/296, T.T.K. Road, Partha Sarathy Garden, Teynampet, Chennai – 600 018 admeasuring 1 ground 2235 sq.ft. includes the 10% share of the property conveyed to the minor. The father has filed this application seeking to permit him to sell the property on behalf of the minor.



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3.The learned Counsel for the petitioner would submit that the minor is settled in U.S.A. and he has got permanent citizenship in U.S.A. and therefore, there is no possibility of him coming back to India. Eventhough 90% of the documents stand in the names of other beneficiaries, 10% of the share involves in the minor's interest. Therefore, the petitioner who is the natural guardian of the minor has filed this application.

4. Before the learned Master, the petitioner examined himself as PW1 by filing his proof affidavit and also filed the following documents which have been marked as Ex.P1 to Ex.P6 :

<i>Exhibits</i>	<i>Nature of documents</i>
P1	The photocopy of the birth certificate of Amarthya Karthi Sreenivas
P2	The Photocopy of the Settlement Deed dated 23.03.2015 registered as Doc.No.339 of 2015 at SRO, Chennai Central Joint I
P3	Photocopy of the Rectification Deed dated 27.10.2016 registered as Doc.No.1230 of 2016 at SRO, Chennai Central Joint I
P4	The Photocopy of the rectification Deed dated 11.01.2021 registered as Doc.No.39 of 2021 at SRO, Chennai Central Joint I
P5	The Original Valuation Report dated 10.02.2021
P6	The Photocopy of the savings bank account in Punjab National Bank, Dr.Radhakrishna salai Branch, bearing Account No.10432010030160 standing in the name of Mr.B.Sreenivas and Mr.N.Boralingiah



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5. Considering the averments contained in the petition and the oral and documentary evidence let in, this Court is of the view that the petitioner's claim is proved. Therefore, this Original Petition is allowed.

6. The petitioner is permitted to sell the minor's share in the property and shall deposit the realised amount in interest bearing Fixed Deposit in any one of Nationalized Banks in the name of the minor under the guardianship of the petitioner, till he attains majority.

28.02.2022

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Note: Issue order copy on 02.03.2022.



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