



A.No.4585 of 2022

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in
O.P.No.132 of 2020

C.V.KARTHIKEYAN, J.

The petitioner in O.P.No.132 of 2020 is the applicant herein.

2. The petitioner is the paternal grandmother of the minor child, for whom she was appointed as guardian, by an order dated 22.07.2020 in O.P.No.132 of 2020. She had been so appointed as guardian, since the parents of the minor child had unfortunately both expired in a road accident. The father had died on 21.06.2019. The mother had died on the next day i.e., 22.06.2019.

3. This Court had directed the petitioner to deposit a sum of Rs.15 lakhs, which was received from the United India Insurance Company as compensation, owing to the accident which occurred and that the amount was deposited in two different Fixed Deposits for a sum of Rs.10,00,000/- and Rs.5,00,000/- each. Subsequently, the petitioner had also received the Employee Provident Fund which had accumulated and that was to a sum of Rs.7,60,000/- and the said sum had also been deposited in the Court.



A.No.4585 of 2022

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4. In the affidavit now filed, the petitioner had stated that her daughter-in-law/mother of the minor, Pushkala, had purchased a flat in Flat No.7B, Lakshmi Flats, measuring 520 sq.ft., in the ground floor at Pammal Village in Tambaram Taluk at Chengalpet District. She was in absolute enjoyment of the said flat. Now the entire apartment complex had become dilapidated and therefore the Lakshmi Flats Owner's Association at Pammal had come to an understanding to demolish the entire apartment and rebuild them.

5. Naturally, every flat owner will have to pay their contribution towards the said demolition and rebuilding cost. To that extent, the petitioner has already spent a sum of Rs.10,85,203/- and a further a sum of Rs.3,14,797/- is payable.

6. The petitioner by this application, therefore seeks payment out of a sum of Rs.15 lakhs namely, the amount received from the United India Insurance Company Limited to be paid towards such demolition and reconstruction of the apartment.



A.No.4585 of 2022

7. It is made clear, that the title of the said apartment should flow over only to the minor child and to that extent, there cannot be any claim made by the petitioner herein over the title of the said flat. On the condition that the title of the reconstructed flat should devolve only and remain only on the minor, and the petitioner shall be only the guardian of the minor, permission is granted.

8. The application stands allowed.

9. Registry to do the necessary needful in paying back a sum of Rs.15 lakhs in accordance with the rules to the petitioner herein on necessary undertaking and authorization and acknowledgement. Registry in the course of such payment out may withdraw the fixed deposits and pay them out to the petitioner herein with the accrued interest.

18.10.2022

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A.No.4585 of 2022

C.V.KARTHIKEYAN, J.

ssi

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18.10.2022