



O.P.No.530 of 2023

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N.SATHISH KUMAR, J.

This petition has been filed to appoint the petitioner as guardian of her daughter Ms.Sri Devi who is suffering from mental retardation at 75%.

2. It is stated in the petition that petitioner's husband had two immovable properties and after his death, the petitioner's only surviving daughter, who is a physically challenged person by way of mental retardation, have a share and therefore, to deal with the property and to maintain the property, the petitioner seeks for appointing herself as guardian of her daughter.

3. Heard learned counsel for the petitioner.

4. The petitioner examined herself as PW1 and Exs.P1 to P7 were marked. Exs.P1 and P2 are the sale deeds in the name of petitioner's husband. Exs. P1 and P2 were marked to prove the title to the property. Ex.P3 is the Disability Certificate issued by the Authorities with regard to nature of disability suffered by petitioner's daughter Sridevi; Ex.P4 is the



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Death Certificate filed to prove that the petitioner's husband N.Gopalan died on 04.03.2022. Ex.P5 is the legal heirship certificate of N.Gopalan. Ex.P5 has been filed to prove that petitioner and her daughters are the only legal heirs.

5. On a perusal of the Disability Certificate, this Court is of the view that the petitioner's daughter is suffering from mental retardation and the percentage of the disability is 75% and therefore, to deal with the property of the petitioner's daughter, proper guardian has to be appointed. The petitioner being the mother of such physically challenged person, she is the fit person to be appointed as guardian.

6. In view of the above facts, this petition is ordered, by appointing the petitioner as the Guardian of the person and property of physically challenged person Sridevi. 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.

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