



O.P.No.684 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 29 of the Guardians and Wards Act, 1980 read with Order XXI Rule 12 of Original Side Rules to permit the petitioner to sell the shares of the minors S.Bennet Samuel and S.Dellin Agnes in the subject property measuring to an extent of 368 sq. ft. for a sum of Rs.25,00,000/- [Rupees twenty five lakhs only] to one J.Anthony Johnson and to deposit a sum of Rs.16,66,666.66 Ps [Rupees sixteen lakhs, sixty six thousand six hundred and sixty six and sixty six paise only] being the value of the two third shares owned by the petitioner's minor children into the account of this Court.

2. The case of the petitioner is that the petition mentioned property is a land and building measuring to an extent of 368 sq.ft. The said property has been inherited by her husband Solomn Raja by virtue of a release deed dated 22.06.2005 executed by his father. The said Solomon Raja died on 10.06.2021



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leaving behind the petitioner and her minor children as his legal heirs. Since the petitioner wants to utilise the money for the welfare of the minors, 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 marked Ex.P.1 to P.8.

4. P.W.1 in her evidence has stated that the minors Bennet Samuel and Dellin Angnes were born to the petitioner and her husband Solomon Raja on 16.08.2007 and 16.04.2010 respectively. Ex.P.1 is the computer generated birth certificate of Minor Bennet Samuel. Ex.P.2 is the generated birth certificate of Minor S.Dellin Agnes. Ex.P.3 is the certified copy of the Order granting Letters of Administration in favour of the petitioner and her minor children. Ex.P.5 is the copy of the release deed dated 22.06.2005 executed in favour of the husband of the petitioner. Ex.P.6 is the computer generated death certificate of the husband of the petitioner. Ex.P.7 is the legal heir certificate of the deceased Solomon Raja. Ex.P.7 indicate that the petitioner and her minor children are legal heirs of the deceased Solomon Raja. Ex.P.8 is the Sale



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Agreement executed by the petitioner in favour of the prospective purchaser
J.Anthony Johnson.

5. It is the further evidence of P.W.1 that for betterment of the minors and for the purpose of their education, she has decided to dispose of the property and she had entered in a sale agreement Ex.P.8. Ex.P.8 shows that she has agreed to sell the property for a sum of Rs.25,00,000/-.

6. Considering the averments made in the petition and on perusing the materials available on record, I am of the opinion that the petitioner is entitled for the relief as sought for in the petition.

7. Accordingly, this petition is ordered, the petitioner is permitted to sell the shares of the minors S.Bennet Samuel and S.Dellin Agnes over the schedule mentioned property to Mr.J.Anthony Johnson for a sale consideration of Rs.25,00,000/- and the share of the minors shall be deposited in fixed deposit in any of the nationalized bank till the minors attains majority. The petitioner shall produce a copy of the deposit receipt within one month from the date of the



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execution of the sale deed in favour of the purchaser and the petitioner shall receive the accrued interest from the deposit for the purpose of the education of the minors.

29.11.2023

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