



WEB COPY



O.P. No. 76 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2024

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 76 of 2023

Shabana Ayub, D/o. Ayub (late)

... Petitioner

-VS-

S.Mushtaq Ahmed
S/o. Syed Shah Nawaz

... Respondent

PRAYER: Original Petition filed under Sections 3, 7 to 10 and 29 of the Guardians and Wards Act, 1890 read with Clause 17 of the Letters Patent and read with Order XXI Rules 2 & 3 of the Original Side Rules seeking to:-

- (1) appoint the petitioner as guardian of the person and property of the minor;
- (2) permit the petitioner to sell the schedule mentioned property on behalf of the minor daughter namely M.S.Shakira Neelu born on 01.05.2006, 16 years old;
- (3) permit the petitioner to deposit the minor's share from the sale



O.P. No. 76 of 2023

WEB COPY

proceeds i.e., 2,11,500/- (Rupees two lakh eleven thousand five hundred only) into a nationalized bank for and on behalf of minor namely M.S.Shakira Neelu born on 01.05.2006, 16 years old and the petitioner as a mother and natural guardian to receive the interest from the deposit for the uplift and livelihood of the minor.

For Petitioner : No appearance

ORDER

No appearance for the petitioner.

2. Notice sent to the respondent had been returned with an endorsement that the respondent had left the country.

3. As a matter of fact, he had married for a second time and he is living with the second wife and family and the petitioner is not in touch with him since 2010. The child for whom the petition had been filed is staying with the petitioner. Additionally, the child was born on 01.05.2006, which would indicate that on 01.05.2024, she would have celebrated her 18th birthday.

4. In view of the above, the application seeking appointment of a guardian does not survive any more. Accordingly, the petition stands



O.P. No. 76 of 2023

dismissed.

WEB COPY

18.07.2024

Index :Yes/No
Maya



WEB COPY



O.P. No. 76 of 2023

C.V.KARTHIKEYAN,J.

Maya

O.P. No. 76 of 2023

18.07.2024