



WEB C.V. **C.V.KARTHIKEYAN, J.**

This Original Petition has been filed taking advantage of Sections 3, 7 to 10 and 29 of the Guardian and Wards Act, 1890 r/w with the relevant rules of the Original Side Rules, seeking permission to be granted to the petitioner to appoint her as guardian of the persons and property of her grandson, A.P.Giridharan who is a minor. The father of the petitioner, L.Parameshvaran, who is the son of the petitioner died in a motor accident on 27.08.2016 and within three days thereafter, the mother of the minor / daughter-in-law of the petitioner committed suicide on 30.08.2016. The minor child, A.P.Giridharan was left without parents and the petitioner had been taking care of him. It is stated that Employees Provident Fund was due and payable to the son of the petitioner and the minor is also entitled to receive a share of the family pension. It is under these circumstances that this petition has been filed seeking to appoint the petitioner as the guardian of her grandson.

2.The learned counsel for the petitioner stated that the petitioner would deposit the share of the minor in the EPF account in any nationalised bank and would also ensure that the family pension is utilized for the education of the minor.



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3. After following due procedure, the petitioner was directed to tender evidence and accordingly, she examined herself as PW-1. The death certificate of her son was marked as Ex.P1. The death certificate of her daughter-in-law was marked as Ex.P2. The legal heirship certificate of her son was marked as Ex.P3. The death certificate of her husband was marked as Ex.P4. The document relating to EPF account was marked as Ex.P11. The birth certificate of the grandson was marked as Ex.P12.

4. Taking into consideration the nature of evidence adduced, this Original Petition stands allowed. The petitioner is appointed as guardian of her grandson, A.P.Giridharan with an obligation to deposit 50% of EPF amount in any nationalised bank and utilize the interest towards expenses of the minor child. Similarly, she may also wisely use with much caution the share of the minor child with respect to the family pension which is payable by the EPF Department.

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