



O.P.No.404 of 2024

RMT.TEEKAA RAMAN, J.

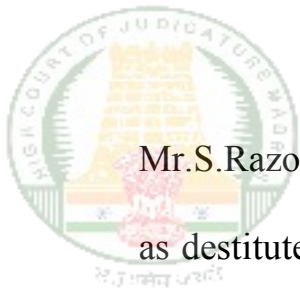
WEB COPY

This original petition has been filed under Sections 3, 7, 8, 9 & 10 and 29 of the Guardians and Wards Act, 1890 read with Order XXI Rule 2, 3 and 5 of the Original Side Rules r/w Clause 17 of the Letters Patent Act, seeking to appoint/declare the petitioner herein as the guardian of the person and property of the minor Ms.Rafah Fathima, aged about 10 years.

2. The petitioner is the biological mother of the female minor child Ms.Rafah Fathima, aged about 10 years, resides with the petitioner in No.18, Arunachalam Nagar, PVS Packaging, Pattur, Mangadu, Sriperumbudur Taluk, Kancheepuram District.

3. The petitioner got married to Late.Mr.S.Razool and the marriage solemnized on 06.05.2012, at M.J.Adam Mahal at No.10, Bazaar Street, Pattur, Mangadu, Chennai - 600 122 in the form of Nikkah according to Muslim rites and customs with the presence of Jamathar and both the family members and relatives. The marriage was registered on 08.08.2012, vide SL.No.87 of 2012 before the Sub Registrar, Kundrathur, under the Tamil Nadu Registration of Marriages Act, 2009.

4. On 09.04.2013, out of their wedlock they were blessed with a daughter Ms.Rafah Fathima, aged about 10 years and she is studying 5th standard in SANA Modal School, at Kattupakkam, Chennai. The said



Mr.S.Razool, died on 28.08.2020, leaving the petitioner and their daughter as destitute and being a mother, the petitioner is only taking care of the said daughter as a natural guardian.

5. After following due procedure, the petitioner is invited to tender evidence. Accordingly, the petitioner was examined as P.W.1 and marked as Exs.P1 to 8.

6. The following documents are filed by the petitioner is as follows:-

<i>Sl. No.</i>	<i>Exhibits</i>	<i>Documents</i>
1.	Ex.P1	The photocopy of petitioner's marriage registration certificate
2.	Ex.P2	The computer generated birth certificate of the minor R.I.Rafah Fathima, along with affidavit under Section 63 of BSA
3.	Ex.P3	The computer generated death certificate of Mr.Razool, along with affidavit under Section 63 of BSA
4.	Ex.P4	The computer generated legal heir ship certificate of Mr.Razool, along with affidavit under Section 63 of BSA.
5.	Ex.P5	The photocopy of the ID card issued by Employees' Provident Fund Organisation bearing A/c.No.100311838778 in respect of Mr.Razool Syed Mohammad
6.	Ex.P6	The photocopy of the petitioner's Aadhaar Card
7.	Ex.P7	The photocopy of the Aadhaar Card of petitioner's minor daughter Rafah Fathima
8.	Ex.P8	Declaration of the petitioner's willingness

7. From the oral documentary evidence, I find that the date of birth of minor as stated in the petition and the father of the minor died on 28.08.2020 and the petitioner being the mother does not give any adverse interest against the minor child.



8. Accordingly, this Original Petition stands allowed and to appoint /
declare the petitioner herein as the guardian of the person and property of the
minor Ms.Rafah Fathima and to permit the petitioner withdraw the amount
for Provident Fund and Pension benefit Settlement from the company at IBM
India Pvt.Ltd. in Chennai and to deposit the same in the name of minor in
any nationalized bank, until she attains the age of majority.

11.09.2024

nvi



WEB COPY



RMT.TEEKAA RAMAN,,J.

nvi

O.P.No.404 of 2024

11.09.2024