



O.P.No.622 of 2023

O.P.No.622 of 2023

WEB CO **N.SATHISH KUMAR, J.**

This Original Petition is filed under sections 3, 7 to 10 and 25 of the Guardian and Wards Act read with Order VIII read with Rule 2 and 3 of O.S. Rules seeking appointment of the petitioner as the Guardian of the minor children Ganugapati Sriram Kushal and Ganugapati Divya.

2. The first petitioner is the sister of the mother of the minor children. The second petitioner is the husband of the first petitioner. The parents of the minors, viz., Ganugapati Srinivas and Ganugapati Uma died on 07.01.2021 and 24.02.2021 respectively on account of a car accident that occurred on 07.01.2021. The parents of the Ganugapati Srinivas also died on 07.01.2021 and 16.10.2008 respectively. The marriage of Ganugapati Srinivas and his wife Ganugapati Uma was solemnized on 29.01.2007. During their wedlock, minor Ganugapati Sriram Kaushal was born to them on 19.10.2011 and Ganugathi Divya was born to them on 01.07.2013. As the parents of Ganugapati Srinivas are no more and his brother is living in UK, the minor children had to be taken care only by the petitioners. The parents of the first petitioner have also filed supporting affidavits for



O.P.No.622 of 2023

granting guardianship of the minors to the petitioners. Hence, the petitioners seek themselves to be appointed as guardian of the minor children.

3. The first petitioner was examined as P.W.1 and Ex.P.1 to P.13 were marked. P.W.1 in her proof affidavit, she has reiterated the facts narrated in the Original Petition. She has stated that as the parents of the minor children died in a car accident, the petitioners are taking care of the minor children. Ex.P.1 is the copy of the birth certificate of minor Sriram Kaushal Ganugapati. Ex.P.1 has been filed to show that the minor Sriram Kaushal Ganugapati was born on 10.10.2011. Ex.P.2 is the copy of the birth certificate of minor Divya Ganugapathi. Ex.P.2 has been filed to show that minor Divya Ganugapati was born on 01.07.2013. The death certificate of father of minor Children Ganugapati Srinivas is marked as Ex.P.3. Ex.P.3 shows that Ganugapathi Srinivas died on 07.01.2021. The death certificate of mother of minor children Ganugapati Uma is marked as Ex.P.4. Ex.P.4 show that the mother of the minor children died on 24.02.2021. Ex.P.5 and Ex.P.6 have been filed to show that the paternal grand parents of the minor children have died on 07.01.2021 and



O.P.No.622 of 2023

16.10.2008. Ex.P.8 is the succession certificate issued in favour of the minors in the City Civil Court, Bangalore. Ex.P.9 and Ex.P.10 have been filed to show that the petitioners are taking care of the minor children by paying school fees to them. Ex.P.11 is the computer generated pay slip of the second petitioner. Ex.P.12 is the copy of the sale deed in favour of the first petitioner. Ex.P.11 and Ex.P.12 have been filed to show that the petitioners have sufficient means to look after the minor children. Taking note of the fact that the parents of the minor children have died in a car accident and the first petitioner being the aunt of the minor children and she along with her husband are taking care of the minor children, the petitioners have to be appointed as the guardian of the minor children Ganugapati Sriram Kushal and Ganugapati Divya.

5. In view of the above, this petition is ordered, appointing the petitioners as the Guardian of the minor children Ganugapati Sriram Kushal and Ganugapati Divya. The petitioners shall execute a Guardian Bond for a sum of Rs.25,000/- in favour of Assistant Registrar O.S.(II), High Court, Madras.



O.P.No.622 of 2023

09.01.2024



WEB COPY



O.P.No.622 of 2023

N.SATHISH KUMAR, J.

vrc

O.P.No.622 of 2023

Date : 09.01.2024