



O.P.No.567 of 2024

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RMT.TEEKAA RAMAN, J.

This Original Petition has been filed under Section 8(2) of Hindu Minority and guardianship Act, 1956 r/w. Order XXI Rules 2 & 3 of O.S. Rules (a) to grant permission to sell the minor share of the property morefully described in the schedule to the Petition (b) to permit the Petitioner to deposit the sale proceeds in any of the nationalised bank in the name of the minor.

2.The Petitioner is the Mother, seeking permission to sell the minor share in the property. The minor has 1/3rd share in the schedule property. Originally, the property was purchased by the Father/Ravi of minor (husband of the Petitioner/Venkatalakshmi) vide sale deed dated 26.12.2022 and Ravi died on 09.03.2016 and hence the minor is entitled for 1/3rd share. Due to family circumstances, the Petitioner being a widow in order to meet out the medical and education expenses of the minor, requires permission of this Court to sell the property.



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3.After following due procedure, the Petitioner was directed to tender evidence and accordingly, she examined herself as PW1 and marked the following documents:

S.No.	Exhibits	Details
1	Ex.P.1	Original birth certificate of the minor R.Jeevan
2	Ex.P.2	Photocopy of the birth certificate of R.Vinaykumar
3	Ex.P.3	Computer generated death certificate of D.Ravi
4	Ex.P.4	Photocopy of the sale deed dated 26.12.2022 executed in my favour and my two sons
5	Ex.P.5	Computer generated legal heirship certificate of D.Ravi
6	Ex.P.6	Photocopy of the Aadhaar card of the Petitioner
7	Ex.P.7	Photocopy of the Aadhaar card of Vinay Kumar Raju
8	Ex.P.8	Photocopy of the Aadhaar card of minor Jeevan
9	Ex.P.9	Online printout of the guideline value of the Petition property
10	Ex.P.10	Certificate under Section 65B of the Indian Evidence Act

4.As per Ex.P.9, the guideline value of the petition property valued at Rs.4,80,000/-, out of which, minor's share is 1/3rd viz., Rs.1,60,000/-.

5.Taking into consideration the nature of evidence adduced and the fact that the petition property is the Plot and sale of the same will be



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beneficial to the minor's medical and education expenses, the Petitioner is permitted to sell the share of the minor son in the property morefully described in the schedule to the Petition viz., 1/3rd share in the property situated at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, within the Registration District of Krishnagiri and Sub-Registration District of Kelamangalam Survey No.362/1B part, in this sub Division Survey No.362/1B1A1 patta No.967 in this land converted into house plot in the name and style of VGP Jaya Nagar, DTCP approval No.L.P./R(S.D).No.68/85, Plot No.116, New Sub Division Survey No.362/1B1A1A1A1A.

6.The sale has to be completed within a period of three months from the date of receipt of a copy of this order and sale deed has to be produced before this Court in the above O.P. On registration of the sale deed, the Petitioner shall deposit the sale consideration of the minor in Indian Bank, High Court Branch, till the minor attains majority and deposit the fixed deposit receipt to the credit of the O.P.No.567 of 2024, within a period of three days from the date of registration of sale. The Petitioner is permitted to withdraw the interest at every quarter for the expenses of the minor son. If



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she wants to withdraw a portion of sale consideration for any emergent purpose or to withdraw any part of the amount in the fixed deposit before maturity, she is at liberty to file necessary application and seek permission from the Court.

7. Accordingly, this Original Petition stands allowed.

19.10.2024

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RMT.TEEKAA RAMAN, J.

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Dated: 19.10.2024