



Application No.4858 of 2024

Application No.4858 of 2024

in

O.P.No.174 of 2023

RMT.TEEKAA RAMAN, J.

The petition is filed under Order XIV Rule 8 of the Original side Rules read with Section 29 of the Guardian and Wards Act, 1890.

2. This Court has already appointed the petitioner, the grandmother of the minors as the Guardian of the Minor Children, namely, Master U.K.Prithvi, born on 27.11.2006 and Master U.K.Prakruth, born on 14.01.2012 by order dated 20.04.2023 in O.P.No.174 of 2023, for the purpose of conducting all matters relating to the welfare and administration of the minors. According to the petitioner, A-Schedule property is a 55 year old building. A portion of the building was being let out earlier which was the only source of income for the petitioner. Based upon the rental income, the guardian is maintaining the minors. For the purpose of reconstruction of the building, the guardian is unable to mobilize funds and hence she intended to develop the A-Schedule property by constructing a new building in proportionate to their share. B-Schedule property which is inherited by the minor from the Late father and accordingly she entered into a joint



Application No.4858 of 2024

development agreement with proposed purchaser whereby 40% of the entire

A Schedule property has to be conferred by the proposed builder which includes 40% of the B Schedule property belonged to the minor. The 40% of the B Schedule works out to the 667 square feet. Out of 667 square feet which is more fully described in C-Schedule. After completion of the joint project, Second Floor will be retained by the minors as a developed share and 40% of the minors' share in B-Schedule property has to be conveyed by the further memo of understanding was entered on 03.07.2024. As per the understanding and earmarking of the second floor for the minors is subject to the approval of this Court and hence this petition. The petitioner/guardian was appointed by the Court to execute the joint development agreement on behalf of the two minors. In respect of the schedule property A, B and C.

3. Application No.4857 of 2024 was allowed on 14.10.2024 whereby copy of the rectification deed dated 01.07.2024 was allowed to be marked and copy of the memo of understanding entered by the guardian of minors with the builder dated 03.07.2024 was allowed to be marked. The matter was posted before the Master. Before the Master Court, both these documents were marked in the main OP as Ex.P11 & Ex.P12. Already Ex.P1 to Ex.P10



Application No.4858 of 2024

were marked. Now, based upon the Ex.P11 and Ex.P12 the Court appointed the guardian namely, the petitioner herein seeks permission to enter into the joint vendor agreement. After going through the Ex.P12 joint vendor agreement, I find that such a proposed action of the petitioner is advantageous to the minors. Accordingly, keeping in mind, the welfare of the minors being the paramount consideration, permission is granted.

4. Accordingly, the Application No.4858 of 2024 is allowed.

30.10.2024

PJL



WEB COPY



Application No.4858 of 2024

RMT.TEEKAA RAMAN, J.

PJL

**Application No.4858 of 2024
in O.P.No.174 of 2023**

30.10.2024