



O.P.No.755 of 2023

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RMT.TEEKAA RAMAN, J.

This Original Petition has been filed under Section 3, 7 to 10 & 29 of guardians and Wards Act VIII of 1890 r/w. Clause 17 of the Letters Patent r/w Order XXI, Rule 2, 3 & 10A of Rules of the High Court, Madras, Original Side 1956, to appoint the Petitioner as guardian of the person and property of the minor T.Tejeswini born on 04.11.2016 and to permit the Petitioner to receive the amounts from the postal policies described in the schedule and to permit the Petitioner to deposit the same in the name of the minor and withdraw the interest periodically.

2.One Chitra Devi and the Respondent are the Father and Mother of the minor T.Tejeswini. The said Chitra Devi died on 15.01.2023 at Rajiv Gandhi Government Hospital, Chennai. The Petitioner is the paternal uncle of the minor T.Tejeswini, who born on 04.11.2016.

3.The Petitioner is unmarried and lived with his parents. He is working as accountant at carco and container carrier and residing at No. 25,



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"D" Block, H-1, Police Line, Dakshinamoorthi Kovil St, Old Washermenpet,
Chennai

4.The deceased G.Chitra Devi is the mother of minor child and sister of the Petitioner, she died on 15.01.2023 at Rajiv Gandhi Government General Hospital, PH Road, Park Town, Chennai. The minor T.Tejeswini is the sole surviving heir of the deceased G.Chitra Devi and her father/respondent herein is absolutely entitled to the movables and the immovable properties set out in the Schedule to the Petition, which is approximately of the values set out in column 3 to the said schedule and are in possession of the Petitioner.

5.The Husband of the Deceased G. Chitra Devi, respondent herein, who is the father of the minor T.Tejeswani was leaving his wife and daughter at the age of one year of the minor child. Thereafter, Deceased G.Chitra Devi and the minor child were under the care of the Petitioner. After the death of Deceased G.Chitra Devi, the minor child is under the care of the Petitioner. The Respondent has not came back home and take care of his own daughter.

6.The only relation of the minor now living are: 1) the Petitioner, her



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paternal uncle, residing in the above said address, (2) the respondent, her father S.Tamarai Vizhiyan, S/o.Srinivasan, aged about not know, residing at No. 27/19, 10th Street, MGR. Nagar, Velachery, Chennai. Though the Respondent was served, he has not chosen to contest the case. Now, the present Petitioner is having the custody of the minor and there is a policy as mentioned in the schedule valued at Rs.4,00,000/-

7.After following due procedure, the Petitioner was directed to tender evidence and accordingly, he examined himself as PW1 and marked the following documents:

<i>S.No.</i>	<i>Exhibits</i>	<i>Details</i>
1	Ex.P.1	Computer generated death certificate of G.Chitra Devi
2	Ex.P.2	Computer generated legal heirship certificate of G.Chitra Devi
3	Ex.P.3	Photocopy of the Aadhaar card of G.Chitra Devi
4	Ex.P.4	Original communication dated 28.07.2023 addressed to the Petitioner by the Chief Post Master, Chennai GPO, regarding settlement of death claim in policy No.TN 558894 CS of late G.Chitra Devi
5	Ex.P.5	Photocopy of the Aadhaar card of minor T.Tejaswini
6	Ex.P.6	Photocopy of the Petitioner's Aadhaar card
7	Ex.P.7	Computer generated birth certificate of minor T.Tejaswini



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<i>S.No.</i>	<i>Exhibits</i>	<i>Details</i>
8	Ex.P.8	<i>Declaration of Petitioner's willingness to act as guardian to the minor</i>
9	Ex.P.9	<i>Certificate under Section 65B of the Indian Evidence Act, 1872</i>

8.Taking into consideration the nature of evidence adduced and the fact that the Petitioner has no adverse interest, I find that the Petitioner is a fit person to be appointed as guardian of both for person and property of the minor.

9.The Petitioner shall receive the amount from the postal policy and deposit the same in the Indian Bank, High Court Branch, till the minor attains majority and deposit the fixed deposit receipt to the credit of the O.P.No.755 of 2024 before the Registry. The Petitioner is permitted to withdraw the interest once in six months for the expenses of the minor girl.

10.Accordingly, this Original Petition stands allowed.

24.10.2024

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RMT.TEEKAA RAMAN, J.

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Dated: 24.10.2024