



O.P.No.737 of 2023

C.V.KARTHIKEYAN, J

This petition has been filed under Section 8(2) of Hindu Minority and Guardianship Act r/w Order XXI Rule 2 and 3 of the Original Side Rules and Clause XVII of Letters Patent Act, seeking to appoint the petitioner herein as guardian of his sons who are the minors namely Sooryakant and Aayushmaan.

2. In the petition filed, it is stated that the property described in the schedule at Pune in Maharashtra was originally purchased by the petitioner and his wife. Later, the wife of the petitioner died in the year 2015 and her share was divided among the petitioner, two minor sons and one another son who had attained the age of majority. The petitioner had stated in the petition that to provide good education for his sons, he requires to sell the property. Accordingly, he had also entered into an agreement of sale with the purchaser.

3. After following due procedure, the petitioner was directed to tender evidence. He examined himself as P.W.1 and he marked Exs.P1 and P2, the birth certificates of his two minor sons. He also marked Ex.P3, the death certificate of his wife and Ex.P5, the copy of the agreement of sale between



him for his own behalf and on behalf of his two minor sons and his elder son with the purchaser. Thereafter, the petitioner also marked his service certificate as Ex.P7 and the allotment letter dated 09.1.2022 with respect to the property as Ex.P8.

4. This Court wanted an affidavit to be filed by the purchaser to confirm that the purchaser has interest to purchase the property.

5. Accordingly, an affidavit had been filed by Ankita Milind Bhosale.

In the said affidavit, she had stated as follows:

“3. I humbly submit that I undertake to abide by all legal requirements and obligations concerning the purchase of the minor's property. Additionally, I am aware that the sale proceeds must be used for the petitioner's son's welfare and education.

4. I humbly further submit that I am ready to purchase the property mentioned in the schedule as per the sale agreement entered into between myself and my mother (Puchasers) and the natural guardian of the minor Mr.Maniyil Indrabalan (Seller). I respectfully request this Honourable Court to consider my interest in purchasing the property and to provide me with an opportunity to participate in the proceedings related to the sale.”

6. Taking into consideration the evidence adduced, this Original



Petition stands allowed. The petitioner is permitted to sell the property described in the schedule to the plaint. The petitioner shall deposit the shares of the minor sons in any one of the Nationalized Bank and produce necessary receipts relating to the same and thereafter, get necessary permission about the disbursal.

25.04.2024

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