



O.P.No.153 of 2024

WEB CO **C.V.KARTHIKEYAN, J.**

This petition has been filed under Sections 3, 7 to 10 and 29 of the Guardian and Wards Act, 1980, seeking permission to appoint the petitioner as a guardian of the person and the property of her younger brother who is a minor aged 11 years, K.Gowtham and also to grant permission to the petitioner to sell his 1/6th undivided share in the B scheduled property out of A scheduled property which is the description of the entire property.

2. In the petition, it had been stated that the father G.Krishnakumar died on 30.08.2018 in an accident and left behind the petitioner and the petitioner's younger brother, K.Gowtham. It is stated that the mother and also the paternal grandmother also died in the said accident. This left the petitioner and the younger brother alone to fight for themselves. They were entitled to the property given in the A scheduled property and the minor was entitled to 1/6th undivided share



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in the said property. The property is situated at Ashok Nagar, Chennai.

3. After the following due procedure, the petitioner was directed to tender evidence. The petitioner examined herself as P.W.1 and she marked documents relating to the construction agreement as Ex.P1, the death certificate of the grand father as legal heirship certificate as Ex.P3 and Ex.P4, the death certificate and the legal heirship certificate of the father as Ex.P5 and Ex.P6 and the death certificate of mother and paternal grandmother as Ex.P7 and Ex.P8, the birth certificate of the minor brother as Ex.P10. The petitioner also examined Mr.Abdul Gani as P.W.2 who filed an proof affidavit stating that he and his wife were interested and purchasing the property and had entered into an agreement dated 11.01.2024 to purchase the property. The copy of the agreement for sale was marked as Ex.P12.

4. Taking into consideration and the nature of evidence recorded, this petition stands allowed.



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5. The petitioner is appointed as Guardian with respect to both person and property of minor viz., K.Gowtham. The petitioner is also permitted to sell the property 1/6th share of A Scheduled property standing in the name of the Minor to P.W.2 or his nominees. The petitioner may file necessary accounts in the Court relating to the said sale and deposit the share of the minor in any nationalized bank and produce receipt thereof and file it to the credit of O.P.No.153 of 2024. If any further directions are required, regarding any expenditure the petitioner may always approach this Court by filing appropriate application.

30.04.2024

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