



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

This Original Petition has been filed taking advantage of Section 8(2) of Hindu Minority and Guardianship Act, 1956 r/w with the relevant rules of the Original Side Rules, seeking permission to be granted to the petitioner to appoint her as guardian to the minor daughter, Madana Sai Lakshmi, with specific right to sell 1/2 share of the minor daughter in the property at Silver Oak Apartment, No.A-202, Second Floor of Block – 1A, Nandivaram Village, Chengalpattu Taluk, Kancheepuram District. The said property had been purchased by the late husband of the petitioner. He had died on 28.05.2023. His mother had pre-deceased him. The petitioner was not able to produce the death certificate of his mother. This Court had directed that further evidence should be recorded and accordingly, the father of the petitioner was also examined to speak about that particular fact.

2.After following due procedure, the petitioner was directed to tender evidence and accordingly, she examined herself as PW-1. The birth certificate of the minor daughter was marked as Ex.P1. The death certificate and legal heirship certificate of her husband were marked as Exs.P2 and P4. The documents relating to the property were marked as Exs.P5, P6 and P7. The



petitioner also examined her father, Jonna Ramakrishnaiah, who also filed his proof affidavit. He stated that the mother of his son-in-law had died several years ago in the native village at Chittor, even when the son-in-law was just three years old.

3.Taking into consideration the nature of evidence adduced, this Original Petition stands allowed. The petitioner is appointed as guardian of her minor daughter with specific right to sell 1/2 share of the minor daughter in the property morefully described in the schedule to the petition namely, Silver Oak Apartment, No.A-202, Second Floor of Block – 1A, Nandivaram Village, Chengalpattu Taluk, Kancheepuram District.

4.A direction is issued that, on registration of the sale deed, the petitioner must deposit the sale consideration of the minor in any nationalised bank and deposit the fixed deposit receipt to the credit of the O.P.No.5 of 2024. She is permitted to withdraw the interest at every quarter for the expenses of the minor daughter. If 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, the petitioner is at liberty to file necessary application and seek permission from the Court.

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