



C.R.P.No.2124 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :03.06.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P.No.2124 of 2025

Mrs.Yogapriya

.... Petitioner

VS

Nil

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the rejection order dated 18.11.2024 made in H.M.G.O.P.Sr.No.2226 of 2024 on the file of the Principal District Court, Chengalpattu.

For Petitioners

: Mr.D.Lakshmipathy

ORDER

The petitioner, aggrieved by the dismissal of HMGOP SR No.2226 of 2024, had preferred the present revision.

2. The petitioner filed HMGOP SR No.2226 of 2024 before the Principal District Court, Chengalpattu under Section 8(2)(a) of Hindu Minority and Guardianship Act, 1956 to permit her to deposit her minor



C.R.P.No.2124 of 2025

children's 1/3rd share in the subject property in to Principal District Court or for re-investment in any nationalised bank.

3. The petitioner is the mother and natural guardian of minor children viz., Youvasree and Kruthikasai. The minors had undivided interest in the schedule mentioned property and contending that the property could not be maintained by the co-owners including the petitioner, a decision was taken by the family to dispose of the property and subsequently, the property has also been alienated under Sale Deed dated 26.04.2024 for a total sale consideration of Rs.1,00,00,000/-(Rupees One Crore only).

4. According to the petitioner, share of the minors to the tune of Rs.30,00,000/-(Rs.15,00,000/-each) has already been deposited in fixed deposits in a Nationalised bank. Now, the petitioner in and by HMGOP SR.No.2226 of 2024 has sought for approval of the Court for such deposit having been made and consequently an order for re-investment in a nationalised bank, till the minors attain the age of majority.

5. The District Court has rightly rejected HMGOP at the SR stage itself holding that the petitioner, in the first instance, did not approach the Court



C.R.P.No.2124 of 2025

seeking permission of the Court to sell the share of the minor children and therefore, after the sale of the property, it is not possible for the Court to ratify the action of the petitioner/mother. In any event, the amounts which are due and payable by way of proportionate sale consideration to the minors, has already been paid to them, through their mother/natural guardian. According to the petitioner, the said amount have been invested in fixed deposits. If at all, the mother, in the best interest of her minor children, wants to protect the said sale consideration and make it available to her minor children, at the time of their attaining majority, the mother does not require any order of the Court. The same is totally not warranted in the present case. The petitioner is always at liberty to take such conscious decisions in the best interest and welfare of the minor children.

6. Therefore, I do not find any error in the order passed by the learned Principal District Judge, Chengalpattu, rejecting HMGOP SR No.2226 of 2024.



WEB COPY



C.R.P.No.2124 of 2025

P.B.BALAJI.,J.

sr

7. In the result, the civil revision petition is dismissed. No costs.

03.06.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-Speaking Order

sr

To

The Principal District Court, Chengalpattu

C.R.P.No.2124 of 2025

03.06.2025