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O.P.No.148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12.08.2025**

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THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.148 of 2025

Sai Krishna

...Petitioner

PRAYER: Original Petition filed under Sections 3, 7, 8, 9, 16 and 29 of the Guardians and Wards Act, 1890 read with Order XXI Rule 2 and 3 of the Original Side Rules, praying

a)to appoint this petitioner as guardian of the person and property of the minor child namely Sreemantula Bhavita

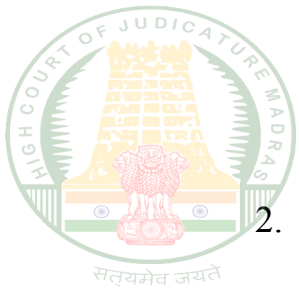
b)To redeem the jewels of 158 grams mortgaged in Chennai Central Cooperative Bank, No.1, Navanidhammal Street, Saligramam, Chennai – 91.

c)To collect the LEC Amount of Rs.2,00,000/- from the LIC of India CBO-5 Cooperative Office 3,778 J+JCV, Anna Salai, Triplicane, Chennai – 2, Tamil Naud.

For Petitioner : Mr.P.Anbazhagan

ORDER

This petition is presented by the cousin brother of the Minor.Ms.R.Sreemantula Bhavita. By this petition, the petitioner seeks to appoint him as the guardian of the person and the properties of the aforesaid minor.



2. The petitioner submits that one Mr.S.Rambabu got married to one Mrs.Dasari Padmasree and had begotten the above said Minor.Ms.R.Sreemantula Bhavita as their daughter out of the wedlock. The petitioner submits that his mother is the sister of the aforesaid Mrs.Dasari Padmasree, hereby making him as the cousin brother of the minor. The petitioner submits that the father of the Minor died on 25.08.2020 and subsequently the mother of the Minor also died on 27.09.2024, leaving behind the minor as their only legal heir. The petitioner asserts that Late.Mrs.Dasari Padmasree, the mother of the Minor before her death had mortgaged Jewels of about 158 grams in Chennai Central Cooperative Bank, No.1, Navanidhammal Street, Saligramam Branch, Chennai-91 and Loan Account No.725610093 dated 29.05.2024, Loan Amount Rs.2,00,000/-, he further states that the mother of the minor had joined a policy in LIC of India, Anna Salai, Triplicane, Chennai-2. The petitioner submits that the ever since the death of Late.Mrs.Dasari Padmasree who is the mother of the minor, he is taking care of the said minor and the minor has been in his custody. The petitioner contends that he is the only nearest living relation of the minor and asserts that he has been earning adequate enough to take care of the minor and her education. The petitioner further undertakes to redeem the mortgaged jewels of the mother of the minor and to collect the LIC Amount of Rs.2,00,000/- and expend the same towards the education and welfare of the minor. Therefore the petitioner seeks to



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be appointed as the guardian of the person and properties of the Minor.Ms.R.Sreemantula Bhavita.

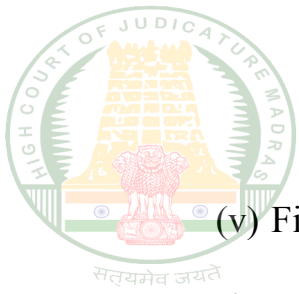
3. The petitioner has examined himself as PW1, he has produced 11 documents to support his deposition which are listed as Ex.P1 to Ex.P11 at the foot of the order. The photocopy of the birth certificate of the Minor.Ms.R.Sreemantula Bhavita has been marked as Ex.P1 which reflects that the minor has been born on 05.11.2008. The online copy of the death certificates of the father and mother of the Minor.Ms.R.Sreemantula Bhavita has been marked as Ex.P2 and EX.P3. The legal heirship certificate of the mother of the minor has been marked as Ex.P4. The photocopy of Redeem the jewels mortgage receipt dated 29.05.2024 has been marked as Ex.P5. The photocopy of the LIC Bond receipt dated 12.09.2024 has been marked as Ex.P6. The perusal of Ex.P4 clearly substantiates that the Minor is the only legal heir of her parents and both her parents have died and the maternal grandparents of the minor have also predeceased her mother, leaving behind no immediate blood relations who can act as the guardian of the minor. The photocopy of the Indian Income Tax return acknowledgment of the petitioner has been marked as Ex.P10. The photocopy of the petitioner dubbing Artist Union Card has been marked as Ex.P9. The general paper publication has been effected and no objections were received for the same.



4. This Court considers the averments made by petitioner and his depositions duly supported by adducing both oral and documentary evidence. It has become further evident from the aforesaid depositions that the minor has no kith or kin, who has come forward to act as the legal guardian of the Minor and to take care of the education and welfare of the minor. This court considers the no objections received for the paper publication and accepts the depositions made and asserts that the petitioner is entitled to the relief.

5. Accordingly, the original petition is allowed on the following terms:

- (i) The petitioner is appointed as the guardian of the person and properties of the minor child Ms.R.Sreemantula Bhavita.
- (ii) The petitioner is permitted to redeem the Jewels of 158 grams mortgaged in the Chennai Central Cooperative Bank, No.1, Navanidhammal Street, Saligramam, Chennai-91.
- (iii) The petitioner is permitted to collect the LIC Amount Rs.2,00,000/- from the LIC of India CBO-5 cooperate Office 3,778 J+JCV, Anna Salai, Triplicane, Chennai-2
- (iv) The claim amount shall be deposited in a fixed deposit in the name of the Minor in any Nationalized Bank which shall be renewed periodically till the minor attain the age of majority.



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(v) File before this Court the copy of the fixed deposit receipts within six months before the Assistant Registrar (Original Side-II) of this Court.

(vi) The petitioner is directed to file the Statement of Accounts every half yearly.

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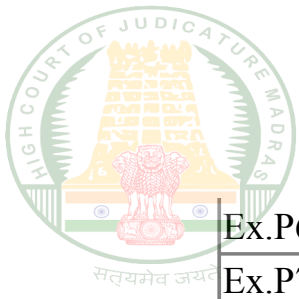
Index :Yes/No

Petitioners' witness:

P.W.1 – Mr.Sai Krishna

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of Death certificate of Father of Minor Sreemantula Bhavita dated 05.11.2008.
Ex.P2	Online copy of Death certificate of Father of Minor Sreemantula Bhavita dated 25.08.2020.
Ex.P3	Online copy of the Death certificate of Mother of Minor Sreemantula Bhavita dated 27.09.2024.
Ex.P4	Online copy of the legal heir certificate of Mother of Minor Sreemantula Bhavita dated 27.11.2024.
Ex.P5	Photocopy of the Redeem the jewels mortgage receipt dated 29.05.2024.



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Ex.P6	Photocopy of the LIC Bond receipt dated 12.09.2024.
Ex.P7	Photocopy of the School ID card of Minor Sreemantula Bhavita.
Ex.P8	Photocopy of the Aadhar card of Minor Sreemantula Bhavita.
Ex.P9	Photocopy of the petitioner dubbing Artist Union Card.
Ex.P10	Photocopy of the petitioner Indian Income Tax return (Series Nos.9) acknowledgment.
Ex.P11	Photocopy of the Aadhar card of the petitioner.

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