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O.P.No.798 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.04.2025**

CORAM

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

O.P.No.798 of 2024

K.Bharathi

...Petitioner

PRAYER: Original Petition filed under Clause XVII of Letter Patent Act for appointment of Guardian, praying to

a) appoint the petitioner K.Bharathi, Wife of P.Sridhar or any fit person to be appointed as guardian nad manager, to the person and property of the mentally ill person viz., P.Sridhar.

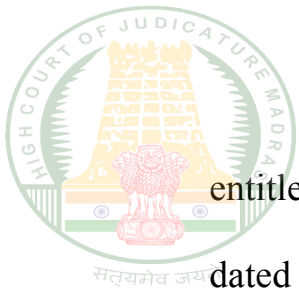
b) permit the petitioner to manager the assets on behalf of the mental ill person.

For Petitioner : M/s.N.Prasanthi

ORDER

This petition is presented by the wife of Mr.P.Sridhar who is said to be a physically and mentally affected person. By this petition, the petitioner seeks to appoint her as the guardian of the person and the properties of Mr.P.Sridhar.

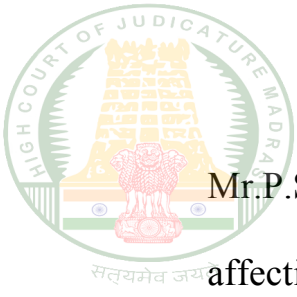
2. The petitioner states that her husband Mr.P.Sridhar is absolutely



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entitled to the immovable property set out in the schedule under of the Will dated 20.09.2002, executed by the maternal grandfather Late.Mr.Jaganmohan of the ward Mr.P.Sridhar. The petitioner submits that the above said ward Mr.P.Sridhar herein has been both physically and mentally affected due to the paralytic condition and he has been under medical treatment since then. The petitioner further submits that even though the ward Mr.P.Sridhar has been under the treatment, there has been improvement in his condition and no possibility of recovery, hence, he is incapable of maintaining his own affairs. Therefore, it is necessary to appoint the petitioner herein as the manager of the properties of the person and properties of Mr.P.Sridhar.

3. The petitioner has examined herself as PW1. She has produced the photocopy of the registered Will executed by the grandfather of the ward as Ex.P1. The computer generated death certificates of Late.Mr.Jaganmohan the maternal grandfather of the ward and Late.Mr.Venkateswara Rao the father of the ward have been marked as Ex.P2 and Ex.P3. The photocopy of the Medical certificate issued by Institute of Mental Health dated 20.06.2024 has been marked as ExP7. The photocopy of the Aadhar card of the petitioner has been marked as Ex.P8. From the perusal of Ex.P7 it can be deduced that ward



Mr.P.Sridhar has some severe disabilities in his psychomotor activities, affecting him both physically and mentally.

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4. The assertions in the petition have been duly proved by adducing oral and documentary evidence. In these circumstances, 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 manager of the property described in the schedule as regards to the ward Mr.P.Sridhar.

(ii) The petitioner is hereby permitted to manage the assets on behalf of the ward Mr.P.Sridhar.

(iii) The petitioner shall file an affidavit of compliance along with a statement of accounts in the registry.

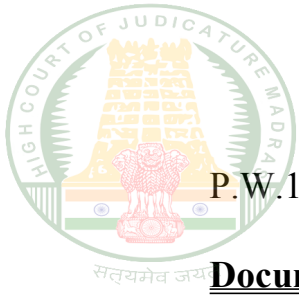
04.04.2025

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Index :Yes/No

Petitioner's witness:

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P.W.1 – Mrs.K.Bharathi

Documents exhibited by the petitioners:

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Exhibits	Documents
Ex.P1	Photocopy of the registered Will executed by the grandfather of beneficiary dated 20.09.2002.
Ex.P2	Computer generated copy of the death certificate of the executor, Mr.Jaganmohan died on 08.08.2006.
Ex.P3	Computer generated copy of the death certificate of grandmother Mrs.R.S.Udhyarathinam died on 01.01.2022.
Ex.P4	Computer generated copy of the death certificate of the father of beneficiary Mr.Venkateswara Rao died on 27.12.2017.
Ex.P5	Computer generated copy of the legal heir certificate of Mr.Venkateswara Rao dated 05.06.2023.
Ex.P6	Photocopy of the medical report of the beneficiary Mr.Sridhar dated 01.10.2020.
Ex.P7	Photocopy of the medical certificate issued by Institute of Mental Health dated 20.06.2024.
Ex.P8	Photocopy of the Aadhar card of the petitioner (Original is produced, compared and returned to the petitioner's counsel)
	Certificate under Section 65 B of Indian Evidence Act is filed for Exs.P2, P3, P4 and P5.

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K.KUMARESH BABU, J.



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