



W.P.No.13500 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.13500 of 2025

1. S.SATHYARAJ
2. SIBIRAJ
3. DIVYA SATHYARAJ

... Petitioner

Vs

1. STATE OF TAMILNADU,
REP. BY SECRETARY OF HEALTH AND FAMILY WELFARE
SECRETARIAT,
CHENNAI-600 009.
2. DISTRICT COLLECTOR,
RAJAJI SALAI, 4TH FLOOR,
CHENNAI-600 001.
3. THE THASILDAR,
EGMORE-NUNGAMBAKKAM TALUK,
SPUR TANK ROAD,
CHETPET,
CHENNAI-600 031.
4. THE DEAN,
RAJIV GANDHI GOVERNMENT GENERAL HOSPITAL,
CHENNAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, declare the first petitioner S.Sathyaraj as the guardian of his wife Maheswari Sathyaraj as well as her investment/movable and immovable properties and to operate all her investments and to sell the



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aforesaid immovable properties annexed to the writ petition standing in the name of the Maheswari Sathyaraj and use the proceeds towards the medical and other expenses for his wife who is currently in comatose condition.

For Petitioner : Mr.George Cheriyan
For R1 & R4 : Mr.E.Sundaram
Government Advocate
For R2 & R3 : Dr.S.Suriya
Additional Government Pleader

ORDER

This writ petition is filed to declare the first petitioner, S. Sathyaraj, as the guardian of his wife, Maheswari Sathyaraj.

2. The case of the petitioners is that the said Maheswari is ill and in a comatose condition. The medical records to that effect are annexed along with the type-set of papers. Upon perusal of the medical records, it can be seen that she is actually in a vegetative state.

3. In view thereof, since the matter has already been decided by the Hon'ble Division Bench of this Court in ***S.Sasikala vs. The State of Tamil Nadu and others (W.A. No. 1538 of 2024)***, I am of the view that the prayer



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of the petitioners has to be allowed.

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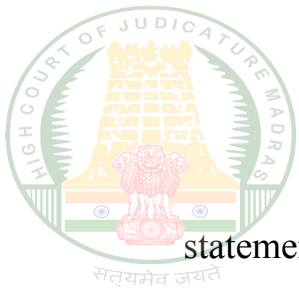
4. In view thereof, this writ petition is allowed on the following terms:-

(i) The first petitioner is declared as the guardian of the person and property of the said Maheswari Sathyaraj.

(ii) The first petitioner will be entitled to operate all her bank accounts on her behalf, including withdrawal of money, operation of fixed deposits, etc., and shall take possession of and administer all her movable properties.

(iii) The first petitioner can also act as guardian and shall take possession of and deal with all her immovable properties in any manner whatsoever, including selling, creation of any charge, etc., in respect of the properties.

(iv) The first petitioner shall spend the amounts of such sale or dealings with the properties of the said Maheswari in the same manner as she would have spent them for the family. However, at least a portion of the same shall be earmarked for her treatment. The first petitioner shall periodically file a



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statement of accounts before the Legal Services Authority, Chennai, every six months. No costs.

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Neutral Citation: Yes/No
nsl

To

1. THE SECRETARY OF HEALTH AND FAMILY WELFARE
SECRETARIAT,
CHENNAI-600 009.
2. DISTRICT COLLECTOR,
RAJAJI SALAI, 4TH FLOOR,
CHENNAI-600 001.
3. THE THASILDAR,
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D.BHARATHA CHAKRAVARTHY, J.

nsi

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