



WEB COPY

A No. 4860 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

A No. 4860 of 2025 in

C.S.No.17 of 2024

1. Anitha Devi

2. Madhusudan Khemka

3. Nipun Khemka

Applicant(s)

Vs

1. Rattan Kumar Khemka

2.Nirmal Khemka

3. Munish Khemka

4.Rekha Saraf

5.Sunita Mittal

6.Champa Devi

7.Rajkumar Khemka

8.Thirupathi Kumar

9.Meenakshi Agarwal

10.Archana Bansal



11.Sushila Devi

12.Suman Khemka

13.Raghav Khemka

14.Madhav Khemka

15.Sundeep Khemka

16.Ambeek Kumar Khemka

17.Akanksha Praveen

Respondent(s)

PRAYER

Application filed under Order XIV Rule 8 of the O.S.Rules r/w under Order 32 Rule 15 of CPC r/w Order 32 Rule 3 of CPC to pass an order appointing Anita Devi, the 1st applicant next friend and guardian for Nipun Khamka 3rd applicant herein and 15th defendant in the suit in C.S.No.17 of 2024.

For Applicant(s): Mr.S.Poovendhan

For Respondents: Mr.Ralph V.Manohar for R1 to R4
Mr.S.Poovendhan for R5 & R17
Mr.M.Sunilkumar for R11 to R16
No appearance for R6 to R10

ORDER

This application is filed by the applicants / defendants 1, 2 and 15 to appoint the 1st applicant / 1st defendant as guardian to the mentally retarded person / 3rd applicant/ 15th defendant.



2. According to the applicants, the 3rd applicant / 15th defendant is a mentally retarded person and suffering from 90% of disability and lacks intellectual capacity to understand anything and the 3rd applicant is under the care and custody of the 1st applicant / 1st defendant, therefore, filed the present application.

3. There is no objection on the side of the respondents to allow the present application.

4. Considering the reasons stated in the affidavit filed in support of the application and in order to defend the 3rd applicant / 15th defendant, appointment of guardian is necessary, since the 3rd applicant is under the care and custody of the 1st applicant / 1st defendant and there is no adverse interest against the 3rd applicant / 3rd defendant, the 1st applicant is appointed as guardian for the 3rd applicant / 3rd defendant and this application is allowed.

24-10-2025

Index: Yes/No; Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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P.DHANABAL J.

ssd

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