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A NO. 6340 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE K.KUMARESH BABU

A No. 6340 of 2024

in

O.P.No.83 of 2018

Stephen Samuel Alex
S/o.Richard Samuel Alex, No.6/69D, Chitirai
Street, Chinmaya Nagar Stage 2, Virugambakkam,
Chennai 600 092., now residing at 2/1 Lyolds
Avenue, Adambakkam, Chennai 600 088.

Applicant(s)

Vs

Nil
nil

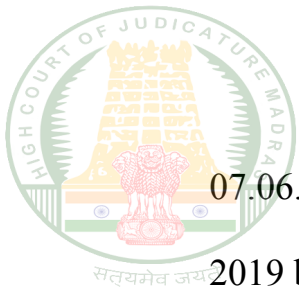
Respondent(s)

For Applicant(s): Mr.N.KrishnaKumar

ORDER

The present application has been filed to permit the petitioner herein to enter into Joint Venture Agreement on behalf of his minor son Reuel David Alexander for construction of apartments by engaging a Developer/Builder.

2. The original petition had been taken out by the petitioner seeking permission to sell the property. Originally, this Court vide order dated



07.06.2019, had disposed of the original petitions in O.P.Nos.78 and 83 of 2019 by a common order.

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3. The original petition had been taken out by the guardian in O.P.No.83 of 2018 to apply for demolition of the existing building and construct a new building for the benefit of the minors. One of the minors had attained majority and by an order dated 16.12.2024 in Application Nos.6338 & 6339 of 2024, this Court had declared the minor daughter to have become major and discharged the applicant from guardianship in respect of the minor. Therefore, the order, appointing the applicant as guardian for the minor son continues even as of date. Under the present application, the applicant had sought for a permission to enter upon a joint venture agreement on behalf of his minor son in respect of his share and for development of the property.

4. It has been further contended that the purpose of which the guardianship was granted by the Court was abandoned since they did not have sufficient funds at that point of time. Under the joint development agreement, the owner and the builder would take 50-50 in the land as well as the built up area and the share of the minor could also be permitted to jointly developed, whereby the minor would be benefited. The averments made in the affidavit would



also indicate that the minor's share as developed would be retained in the proportions that he would be entitled to in the property.

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5. This Court considered the averments made in the affidavit filed in support of this application and is satisfied with the reasons stated therein.

6. In such view of the matter, the applicant is permitted to enter into a joint development agreement on behalf of the minor. The applicant shall also file the joint development agreement into the Court within a period of one month from the date of entering into such joint development agreement. He shall also file a details of the property that is handed over to the minor on completion of the project.

7. In fine, the application in A.No.6340 of 2024 in O.P.No.83 of 2018 is ordered. However, there shall be no order as to costs.

17-03-2025

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To
1. Nil