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O.P.No.670 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

O.P.No.670 of 2024

Sabitha

... Petitioner

Versus

Nil

... Respondent

Prayer: Petition for appointment of a guardian under Section 8 (2) of the Hindu Minority and Guardianship Act, 1956 r/w Order XXI Rule 2 and 3 of the Original Side Rules, prays for (a) to permit the petitioner to receive the minor's share in the schedule of property (b) to permit the petitioner to deposit minor's share in any nationalized bank in the name of minors until they attain the age of majority.

For Petitioner : Ms.L.Umma Kulsum

ORDER

The petitioner is the mother and natural guardian of two minor children. The husband of the petitioner died on 26.05.2001 at Chennai. He was working as a Technical Lead in a private company. The death benefits and insurance of her husband to the tune of Rs. 44,87,158/- has been ascertained



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and lying in the company's accounts and not yet disbursed to the minors.

Hence, the present petition is filed to appoint her as a Guardian, to receive the benefits enured on the minor children, invest it in a Nationalised Bank and to utilize the investment for the welfare of the children.

2.To prove the claim, the petitioner has marked the following six documents,

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer generated death certificate of Mr.S.Arthiraja
Ex.P.2	Computer generated legal heir ship certificate of Mr.S.Arthiraja
Ex.P.3	Computer generated birth certificate of minor daughter A.Shakthi
Ex.P.4	Photocopy of birth certificate of minor daughter Pranavi Arthiraja
Ex.P.5	Photocopy of the letter dated 05.04.2023 issued by Capgemini
Ex.P.6	Photocopy of the Aadhaar Card of the petitioner

3.In view of Ex.P5 letter issued by the Capgemini asking for succession certificate, the present petition is filed.

4.Since the petitioner being the natural guardian of the minor children, this petition is allowed, appointing the petitioner as a Guardian to receive the money payable to the minor children. The said amount should be deposited in a Nationalised Bank. The Guardian petitioner shall be entitled to



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withdraw the interest and spend it for the welfare of the children. The deposit of the money in the Nationalized Bank to be intimated to this Court within a period of three weeks from the date of deposit.

5. Accordingly, this petition stands allowed.

23.01.2025

Index: Yes/No
Internet: Yes
Speaking/Non Speaking
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DR.G.JAYACHANDRAN, J.

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