



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

**A No. 5180 of 2025
in O.P. No.219 of 2024**

1. A.Saikarthik
S/o.Late Amarnath, No.47, Thenkarai
Street, Kottucherry, Karaikal,
Puducherry - 609609.

Applicant(s)

Vs

1. V.Vardhini
D/o.Late V.M.C.Varadapillai, No.47,
Thenkarai Street, Kottucherry, Karaikal,
Puducherry 609 609.

Respondent(s)

PRAYER: This application has been filed under Order XIV Rule 8 of Original Side Rules read with Section 307(2) of Hindu Succession Act praying to permit the Petitioner, to sell, transfer, or otherwise dispose of the immovable property



forming part of the estate of the deceased Late K.Amarnath, morefully described in the schedule hereunder and to appropriate the sale proceeds thereof for meeting the Respondents medical expenses and the petitioners marriage expenses and for beneficial administration of the estate.

For Applicant(s): Ms. K. Subhashini for
M/s.Chennai Law Associates

For Respondent: No appearance.

ORDER

This application has been filed by the applicant to permit the applicant to sell, transfer, or otherwise dispose of the immovable property forming part of the estate of the deceased Late K.Amarnath, morefully described in the schedule hereunder and to appropriate the sale proceeds thereof for meeting the Respondents medical expenses and the petitioners marriage expenses and for beneficial administration of the estate.



2. According to the applicant, his father K. Amarnath died intestate on 07.06.2013 and he is the only son to his father. His mother also died. The parents of the applicant got separated by a decree of divorce by mutual consent on 09.02.2012, when he was 15 years old. Thereafter, his father died on 07.06.2013. Therefore, the applicant the main petition in O.P. No.219 of 2024 for grant of Letters of Administration and the same was allowed by this Court on 08.04.2025 and he also executed a Security Bond for a sum of Rs.25,000/-. The respondent, who is the mother of the applicant, is suffering from certain medical ailments and the applicant is in need of money for her medical treatment and he also aged about 27 years and need expenses for his marriage as well. Since the marriage between the father and mother of the applicant, dissolved through an order dated 09.02.2012 and his father died on 07.06.2013, his mother has no right over the property of his father. Therefore, he filed this application to sell the property for his marriage expenses and for medical expenses of his mother. The respondent has not filed any counter.

2.1. On the side of the applicant, he was examined as PW1 and Ex.A.1 to



Ex.A.5 were marked. Ex.A.1 series are the photocopies of the medical records of Mrs. V. Vardhini, the respondent herein; Ex.A.2 is the photocopy of the lab report dated 18.11.2023 of Mrs. V. Vardhini, the respondent herein; Ex.A.3 is the photocopy of the Doctor's prescription dated 20.11.2023 of the respondent; Ex.A.4 is the photocopy of the Doctor's prescription dated 22.02.2024 of the respondent and Ex.A.5 series are the Doctor's prescription and pathology report of the respondent.

3. This Court heard and perused the records. On a careful perusal of the evidence PW1 and documents from Ex.A.1 to Ex.A.5, they revealed that the applicant is in need of money for the medical expenses of his mother and for his marriage expenses and already this Court granted Letters of Administration in favour of the applicant in respect of the property of his father and except this applicant, no other legal heirs are available. The applicant has also produced the copy of guideline value and total value of land and building to the tune of Rs.1,08,13,882/-. Therefore, it is appropriate to permit the applicant to sell the property.



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4. Accordingly, this application is *allowed*. *The petitioner is permitted to sale proceedings for the value not less than Rs.1,10,00,000/-*. The petitioner is further directed to render true and correct accounts once in a year.

08-12-2025

mjs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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