



W.P(MD)No.32769 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32769 of 2025

Rajapushbam

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Nagercoil.

2.The District Differently Abled Welfare Officer,
District Disabled Rehabilitation Centre,
Collectorate Complex,
Nagercoil.

3.The Mental Health Review Board,
Government Medical College Hospital,
Nagercoil.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st Respondent to appoint Tmt.Selvakumari as the Guardian of Petitioners mentally challenged daughter Selvarani under the National Trust for the Welfare of Persons with Austim, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act in a time bound manner.

For Petitioner : Mr.D.Senthil



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For Respondents : Mr.B.Ramanathan
Additional Government Pleader
for R1 to R3

ORDER

Heard both sides.

2. The writ petitioner got married to Selvadas. Through the wedlock, three children were born. One of them suffers from intellectual disability. The petitioner wants the other daughter namely Selvakumari to be appointed as guardian for the intellectual disabled daughter (Selvarani). The records enclosed in the typed set of papers clearly bear out the claim of the writ petitioner that her daughter Selvarani suffers from intellectual disability.

3. The petitioner has only made a representation to the first respondent. The petitioner has to submit an online application in Form A. The petitioner also has to appear in person before the second respondent. I make it clear that the petitioner's daughter need not appear before the second respondent or before the third respondent for any fresh assessment. This is because, the disabled certificate has already been issued and there is no need for any fresh assessment.



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4. On the submission of the online application and the appearance of the second respondent, the petitioner as well as Selvakumari seeking guardianship for Selvarani under National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, an order shall be passed by the first respondent. Certificate shall be issued to that effect. I make it clear that the guardianship will be only for the person of the individual.

5. The Writ Petition is allowed on these terms. No costs.

17.11.2025

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.



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