



WEB COPY

A No. 600 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**A No. 600 of 2026
in O.P. No.71 of 2010**

Mrs. Sudha Guru
D/o.Late S.N.Krishnan,
Residing at Door No.35,
Plot No.3723, Q-6,
6th Avenue,
Anna Nagar,
Chennai 600 040.

..Applicant(s)

Vs

Nil
nil

..Respondent(s)

PRAYER: The application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XXXI Rule 9 of Original Side Rules and Section 151 of Code of Civil Procedure praying to permit the Applicant/Petitioner Sudha Krishnan earlier known as Sudha Guru to withdraw the sum of Rs.83,13,000/- with accrued interest lying in Court Deposit, mentioned in the Schedule hereunder.

For Applicant(s): MR.K.J.S. Premkumar

ORDER

This application has been filed by the applicant seeking to permit the applicant namely Sudha Krishnan earlier known as Sudha Guru to withdraw a sum of Rs.83,13,000/- with accrued interest lying in Court deposit.



2. According to the applicant, she had filed the above main original petition in O.P. No.71 of 2010 for grant of Guardianship of person and property of her own younger brother Mr. S.K. Srikanth, mentally retarded. Her elder sister namely Mrs. Usha Lakshminarayanan is a British citizen and residing in Scotland had given her consent for the said appointment of guardianship. The said petition was allowed and the petitioner was drawing monthly Family Pension from Indian Bank, Anna Nagar and looking after him. Subsequently, the applicant filed an application in A. No.4933 of 2012 to grant permission to enter into a Joint Development Agreement dated 22.08.2012 with Firm Foundations and Housing Pvt. Ltd., to receive 1/3 undivided share of S.K. Srikanth to the tune of Rs.90,00,000/- to be paid in instalments. This Court also granted permission. Accordingly, she entered into a Joint Development Agreement and a sum of Rs.85 lakhs was deposited into the Court after payment of Rs.5 lakhs towards Capital Gains Tax. While so, on 01.11.2025, the said S.K. Srikanth, who was unmarried, expired and all the funeral ceremonies were performed by the son of the applicant namely Shankar. Now, the applicant and her sister Usha Lakshminarayanan are the only legal heirs to succeed the estate of the deceased S.K. Srikanth and the revenue authorities have also granted Legal Heirship certificate. Therefore, now the sister of the applicant namely Usha Lakshminarayanan has consented to issue cheque in favour of the applicant for the deposit amount. Therefore, prayed to allow this application.



3. Heard the applicant's side and perused the records.

4. On perusal of the Legal Heirship Certificate issued by the revenue authorities, it reveals that the applicant and her sister Usha Lakshminarayanan are the legal heirs of the deceased S.K. Srikanth. Since the said Usha Lakshminarayanan is not a party to the proceedings, this Court directed the applicant to bring the said Usha Lakshminarayanan and she also appeared before this Court and filed an affidavit that she has no objection for the withdrawal of money by the applicant. Now, the amount is lying in Court deposit and thereby, the applicant is entitled to withdraw the said amount along with accrued interest. The learned counsel appearing for the petitioner also brought to the notice of the Court that earlier the name of the petitioner was Sudha Guru and now she changed her name as Sudha Krishnan and the same is recorded.

5. Therefore, this application is ***allowed and the applicant is permitted to withdraw the amount deposited, with accrued interest, lying in Court deposit.***

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P.DHANABAL, J.

MJS

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