



WEB COPY

WP No. 12035 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 12035 of 2026

1. J.Sivasankari
W/o. Jeevanandham,
No. 49/1 , GandhiRoad, Anupparpalayam,
Tiruppur district,
Tamil Nadu 641 652
2. J.Arivuselvan
S/o. Jeevanandham,
No. 49/1 , GandhiRoad, Anupparpalayam,
Tiruppur district,
Tamil Nadu 641 652

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai 09
2. The District Collector
Karuppa Gaundanpalayam,
Tirupur District,
Tamil Nadu 641 604
3. The Chief Medical officer
Government Hospital, Avinashi,
Tirupur 641 654
4. The Tahsildar
Tirupur North Taluk office,
Tirupur



5. The Sub Registrar
Joint II Tiruppur,
Tiruppur District

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..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare the first petitioner Mrs. J.Sivasankari as the guardian of her husband Mr. Jeevanandham S/o. Karuppa Gounder, (alias) Karuppusami gounder, concerning his movable and immovable assets and estate, enabling her to deal with the same in accordance with law.

For Petitioner(s): Mr.E.Gowthaman

For Respondent(s): Mr.K.Tippu Sulthan, GA for R1 to R4

Mrs.Aswini Devi, AGP for R5

ORDER

This Writ Petition has been filed seeking to declare the first petitioner Mrs. J.Sivasankari as the guardian of her husband Mr. Jeevanandham S/o. Karuppa Gounder, (alias) Karuppusami gounder, concerning his movable and immovable assets and estate, enabling her to deal with the same in accordance with law.

2. Heard the learned counsels appearing on either side. In view of the order proposes to be passed in this Writ Petition, WMP.No.13131 of 2026 filed



by the petitioners to permit them to file a Single Writ Petition, is allowed subject to payment of separate Court fee.

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3. It is the case of the first petitioner that she is the wife of one Jeevanandham and the second petitioner herein is their son. She filed the present petition to appoint her as guardian as her husband is in a comatose and incapacitated state following a major brain haemorrhage and subsequent surgery. In order to meet out the family needs and medical expenses towards treatment of her husband, she wanted to declare her as guardian to manage both the movable and immovable properties of her husband/ the said Jeevanandham and hence, the present Writ Petition.

4. When the matter came up for hearing on 01.04.2026, this Court had directed the respondents 3 and 4 to file a status report in regard to the health conditions of the first petitioner's husband, as well as the legal heirs of Jeevanandham. Pursuant to which, the third respondent filed the medical report dated 10.04.2026, wherein it was stated that the patient is bed ridden and has weakness of both right upper and lower limb with complete loss of power and unable to stand/walk, write or hold.

5. It is the specific case of the first petitioner that her husband/the said Jeevanandham is in vegetative state and the petitioners herein are the only



surviving legal heirs of the said Jeevanandham, which fact has been conceded by the official respondents upon investigation.

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6. In view of the aforesaid facts and also considering the fact that there is no specific provision either under the Guardians and Wards Act, 1890 or under the Mental Health Act, 1987 or under any other statute for appointing legal guardian in respect of a person, who is in a vegetative state, this Court by invoking the extraordinary jurisdiction under Article 226 of the Constitution of India, appoints the first petitioner as the legal guardian of the said Jeevanandham, who is in a vegetative state, in order to deal with the movable and immovable properties and bank account of the said Jeevanandham for the purpose of generating funds to meet the medical and other expenses of the said Jeevanandham and the family needs.

7. Accordingly, this Court is inclined to dispose of this Writ petition with the following directions:-

(i) The first petitioner is hereby appointed as the legal guardian of the said Jeevanandham and she is entitled to deal with the movable and immovable properties and bank accounts standing in the name of the said Jeevanandham, for the purpose of generating funds to meet the medical and other expenses like family needs etc.



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(ii) Further, the first petitioner is directed to maintain an account in respect of the expenditure incurred by her towards the medical treatment of the said Jeevanandham and also for the basic day-to-day needs of the family in order to prevent any future issues.

8. With the above directions, this Writ petition stands disposed of. There shall be no order as to costs.

16-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DP



To

1. The State Of Tamil Nadu
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2. The district collector
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M.DHANDAPANI, J.

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