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W.P(MD)No.7893 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 25.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

**W.P(MD)No.7893 of 2026
and
W.M.P(MD)No.6489 of 2026**

1.Kala Bai
2.Boopalan
3.Rukmini Saranya

... Petitioners

Vs.

- 1.Union of India,
Rep by its Secretary,
Ministry of Health Department,
Nirmal Bhawan,
New Delhi-110 011.
- 2.The State of Tamil Nadu,
Rep by its Secretary,
Department of Health and Family Welfare,
Fort St.George,
Chennai-600 001.
- 3.The District Collector,
Trichy,
Trichy District.
- 4.The Dean,
K.A.P. Viswanathan Government Medical College,
Trichy.



5.The District Registrar,
Tiruchirapalli,
Tiruchirapalli District.

6.The Sub Registrar,
Worraiur
Marudhandankurichi
Tiruchirapalli.

...Respondents

Writ Petitions are filed under article 226 of the Constitution of India, praying to issue a Writ of declaration, declaring the 1st petitioner herein as a guardian of 1st petitioner's husband Mr.S.Devendra Rao, aged 75, who is in “Progressive Supranuclear Palsy” condition to protect his interest and to sell the immovable property aforesaid standing in the name of 1st petitioner's husband in order to use the proceeds towards the medical and family expenses and to operate his bank account.

For Petitioners	:Mr.N.Ananda Kumar
For R1	:M/s.G.Vidhya Maheswaran
	Standing Counsel
For R2 to R6	:Mr.M.Lingadurai
	Special Government Pleader

ORDER

The wit petition is seeking for a mandamus directing the respondent No.3 to appoint the petitioner as the guardian to her husband, namely Mr.S.Devendra Rao and to permit the petitioner to operate his bank account and further to deal with the immovable properly.

2.Heard Mr.Ananda Kumar, learned counsel for the petitioners, M/s.G.Vidhya Maheswaran, learned Standing Counsel who takes notice on



behalf of the first respondent and Mr.M.Lingadurai, learned Special Government Pleader, who takes notice on behalf of the respondents 2 to 6.

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3.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that the first petitioner's husband, aged 75 years who is in “Progressive Supreanuclear Palsy” condition. As a result thereof, he is now in vegetative condition, unable to move or recollect.

4.In view of the above, the matter is covered by the judgment of the Hon'ble Division Bench in the case of ***S.Sasikala Vs. State of Tamil Nadu(W.A.No.1538 of 2024)*** wherein this Court itself appointed the petitioner as the guardian subject to the condition imposed therein.

5.I have considered the argument made on either side and perused the material records of the case.

6.Upon considering the plight of the petitioner and her family, as well as the condition of her husband, I am of the view that the first petitioner being the wife can be appointed as the lawful guardian of Mr.S.Devendra Rao, subject to the following conditions:



(i)The first petitioner is appointed to act as guardian of the said S.Devendra Rao, aged about 75 years old in respect of his person and property.

(ii)The first petitioner shall be entitled to deal with the immovable properties that fall to the share of the said Devendra Rao.

(iii)The first petitioner shall be entitled to execute and present any documents, including sale deeds, mortgage deeds, or any other instruments, and to raise loans or create any charge in respect of the said properties on behalf of Devendra Rao

(iv)The first petitioner shall also be entitled to operate the bank accounts of the said Devendra Rao, and the concerned bank shall permit the petitioner to operate such accounts, including withdrawing and depositing amounts, as if the said Devendar Rao were operating the same in person

(v)Out of the amounts withdrawn or realized by way of dealing with the immovable properties, at least 20% shall be retained towards the medical expenses of the said Devendra Rao and the balance may be utilized by the petitioner for herself and the family members;

(vi)The first petitioner shall file detailed accounts once every three months before the District Legal Services Authority, Trichy.

(vii)No costs.



NCC:Yes/No

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25.03.2026

To

- 1.The State of Tamil Nadu,
Rep by its Secretary,
Department of Health and Family Welfare,
Fort St.George,
Chennai-600 001.
- 2.The District Collector,
Trichy,
Trichy District.
- 3.The Dean,
K.A.P. Viswanathan Government Medical College,
Trichy.
- 4.The District Registrar,
Tiruchirapalli,
Tiruchirapalli District.
- 5.The Sub Registrar,
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D.BHARATHA CHAKRAVARTHY, J.

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