



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05-02-2026**

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

WMP(MD) NO. 29269 of 2025 in

W.P.(MD)No.31953 of 2025

1. K.Thirumalaisamy
S/o.A.S.R.Kaniappa Nadar
No.A153, Shanthi Nikhetan Apartments
Back side of Ambika Theatre
Anna Nagar
Madurai - 625 020.

Petitioner(s)

Vs

1. The State of Tamil Nadu
Represented by its Secretary
Health and Family Welfare Department
Chennai-09.

2. The District Collector
Madurai District.

3. The Commissioner
Madurai Corporation
Madurai District.

4. The District Disabled Welfare Officer
Madurai.

5. The Director of HOD Neurosurgery
Neurosurgery/Neurosciences
Founder Chairman and Managing Director
Hanna Joseph Hospital
Madurai - Tuticorin Ring Road



Chinthamani (Near Toll Gate)
Madurai - 625009.

6. The Dean
Government Rajaji Hospital
Madurai. (R6 is suo motu impleaded vide order dated 11.11.2025 in
WP(MD)No.31953 of 2025 by GRSJ)

Respondent(s)

For Petitioner(s) : Mr.R.G.Shankar Ganesh

For Respondent(s): Mr.S.S.Madhavan,
Additional Government Pleader
for R-1, R-2, R-4 & R-6.

Prayer: To modify order dated 17.11.2025 passed in WP(MD)No.31953 of 2025 permitting the petitioner to sell the property comprised in S.No.29/1 to an extent of 3 cents situated at Managiri Village, Thallakulam, Madurai to meet out the medical expenses of his wife Sumathi at Arun Hospital, Obulapadithurai, Madurai and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

ORDER

The petitioner's counsel states that the petitioner is unable to sell the property that was purchased vide sale deed dated 03.08.2021. He however states that there is a buyer for the property covered by the said sale deed. Hence, paragraph No. 4 of the order dated 17.11.2025 in W.P. (MD)No.31953 of 2025 is modified as follows:-

" 4.Instead of directing the second respondent to appoint the petitioner as guardian, relief



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is granted to the petitioner in the following terms:

i)The petitioner is permitted to act as the power agent of his wife T.Sumathi so that he can operate the bank accounts standing in her name and also sell the property that was purchased vide sale deed dated 10.06.1982 (Document No.2617 of 1982).

ii)The petitioner, however, is not permitted to sell the property covered vide sale deed dated 03.08.2021 (Document No.6850 of 2021)."

2. This WMP is allowed on these terms.

05-02-2026

PMU

Note: Registry to issue revised copy of this order in terms of the modification.

To

1. The Secretary
Health and Family Welfare Department, Chennai-09.
2. The District Collector, Madurai District.
3. The Commissioner
Madurai Corporation, Madurai District.
4. The District Disabled Welfare Officer
Madurai.
5. The Director of HOD Neurosurgery
Neurosurgery/Neurosciences
Founder Chairman and Managing Director
Hanna Joseph Hospital, Madurai - Tuticorin Ring Road
Chinthamani (Near Toll Gate)
Madurai - 625009.
6. The Dean
Government Rajaji Hospital, Madurai.