



**IN THE COURT OF THE SENIOR CIVIL JUDGE
AND J.M.F.C., SHIGGAON.**

DATED THIS THE 9th DAY OF JUNE 2026

**Present: Sri Sunil S. Talawar
B.A.LLB., (Spl.)
Senior Civil Judge &
J.M.F.C., Shiggaon,**

G & W.C. No.12/2026

- Petitioners:** 1. Smt. Ratna W/o Sureshgouda Patil,
Age: 45 years, Occ: Household,
R/o Margol, Hubballi.
Now at Kabanur, Tq: Shiggoan,
Dist: Haveri.
Ph: 8904661292.
2. Ku. Soujanya D/o Umesh
Jakkannanavar, Age: 12 years,
Occ: Student, R/o Kabanur,
Tq: Shiggoan, Dist: Haveri.
3. Ku. Ravindra S/o Umesh,
Jakkannanavar, Age: 10 years,
Occ: Student, R/o Kabanur,
Tq: Shiggoan, Dist: Haveri.
4. Ku. Gayatri, D/o Umesh,
Jakkannanavar, Age: 08 years,
Occ: Student, R/o Kabanur,
Tq: Shiggoan, Dist: Haveri.
- (Ptr.No.2 to 4 are minors, R/by
their natural guardian mother in
law i.e., petitioner No.1)

(By Sri.VCP., Advocate)

V/s

**Respondent:****NIL**

Date of filing of petition : 19.02.2026

Nature of petition : Appointment of
Minor Guardian
for minor Ptrs.No.2
to 4Date of commencement
of recording of evidence : 01.06.2026Date on which the
Order was Pronounced : 09.06.2026Total Duration :Yr/s Month/s Day/s
00 03 21

Sd/-
(Sunil S.Talawar)
Senior Civil Judge & J.M.F.C.,
Shiggaon.

ORDER ON MAIN PETITION

The petitioners have filed the present petition under Sec.7(1) of the Guardians and Wards Act 1890, seeking order of this court to appoint the petitioner No.1 as minor guardian of petitioners No.2 to 4 and also permit petitioner No.1 to utilize the government and other facilities pertaining to minor petitioners No.2 to 4.



2) The averments of the petition in brief are as under:

It is stated in the petition that, the petitioners No.1 to 4 are permanently residing at Kabanur village in Shiggaon Taluka. The petitioner No.1 is mother in law of petitioner No.2 to 4. The father of minor petitioner No.2 to 4 by name Sri. Umesh S/o Rindappa Jakkannanavar died on 27.02.2025 and mother of the petitioner No.2 to 4 by name Smt. Vijayalaxmi W/o Umesh Jakkannanavar died on 11.01.2018. After the death of parents of minor petitioners No.2 to 4, they are under care and custody of petitioner No.1. The petitioner No.1 is taking care and custody, protection with so much love and affection towards petitioners No.2 to 4 for their best interest and welfare of the minors. It is also stated in the petitioner that for family necessity and to pay of the debts, the petitioner No.1 intends to obtain the government and other facilities of minor petitioner No.2 to 4 to meet out the expenses of their education and medical expenses. Hence it is



necessary to get the permission to the petitioner No.1 to obtain government facilities on behalf of the minor petitioners No. 2 to 4. Therefore the petitioner No.1 is constrained to file this petition seeking permission to obtain government and other facilities on behalf of minor petitioners No.2 to 4. Hence this petition is filed.

3) After institute of present petition draft notice to the general public calling upon them to appear who all are concerned in the matter was issued by way of substitute service by publishing draft notice in the news paper Hosadigantha. The draft citation was duly published in the news paper and when matter was called on 01.06.2026 no one is appeared to contest the matter.

4) In order to prove their case, the petitioner No.1 herself has stepped into witness box and examined as PW.1. She has got marked Ex.P.1 to 8 documents and closed her side of evidence.



5) I have heard the arguments and perused records.

6) The points that arose for my consideration are:

1) Whether the petitioners have made out grounds for appointing petitioner No.1 as minor guardian of petitioners No.2 to 4 in order to get government facilities as stated in the petition?

2) What Order?

7) My answers to the above points are as under:

Point No.1 : In the Affirmative

Point No.2 : As per final Order,
for the following:

REASONS

8) **POINT No.1** : It appears on perusal of the materials of the petition that, the petitioners have filed this petition under Section Sec.7(1) of the Guardians and Wards Act 1890 seeking order of this court that, the petitioner No.1 be appointed as the minor guardian to the petitioner No.2 to 4 in order



to obtain government and other facilities on behalf of minor petitioner No.2 to 4. The petitioner No.1 has stepped into witness box and examined herself as P.W.1 and got marked Ex.P.1 to Ex.P.8 documents. Ex.P.1 to 3 are the school certificates of petitioner No.2 to 4 and upon perusal of the same they are minor, Ex.P4 and 5 are the death certificates of parents of petitioner No.2 to 4. Ex.P6 is the paper publication and Ex.P7 and 8 are the Aadhaar cards of petitioner No.1 and petitioner No.3.

9) The petitioner No.1 has produced Ex.P.4 and 5 the death certificates of parents of minor petitioner No.2 to 4. Here, the said death is not in dispute. Further, the petitioner No.1 has produced Ex.P.1 to P.3 the school certificate of petitioners No.2 to 4. It appears on perusal of Ex.P.1 to 3 that petitioner No.2 to 4 are minor under care and custody of petitioner No.1. Further petitioner No.1 has produced Aadhaar cards which are marked as Ex.P.7 and 8.



10) The entire evidence of P.W.1 is remained unchallenged. The only material aspect before this court is that whether the petitioner No.1 is intending to obtain government and other facilities for the welfare of minor children or not. In this regard petitioner No.1 has stated in her evidence that, in order to welfare of the family, for use of day today needs, for the purpose of education of minors she is in need to get government facilities. In this regard petitioner No.1 want to obtain government facilities on behalf of minor petitioner No.2 to 4. Hence there are sufficient evidence placed by the petitioner No.1 as to allow the application. On the other hand as to arrive this conclusion there is no contra materials available as to disbelieve the case of petitioners. In the absence of parents of minors the petitioner No.1 is the best person to act as minor guardian to the petitioner No.2 to 4 as provided by law. However this court restrict the said guardianship pertaining to obtaining government facilities being provided to the minor petitioners and apart from this the petitioner



No.1 is subjected to obtain permission from this court in order to sale of any properties acquired by the minor petitioner No.2 to 4. For this aspect only the petition is liable for acceptable and hence there are sufficient grounds on this aspect.

Therefore, Point No.1 is answered in the

Affirmative.

11) **POINT No.2:** For the aforesaid reasons and finding on Point No.1, I proceed to pass the following:

ORDER

The Petition filed by petitioners under Section 7(1) of the Guardians and Wards Act 1890 is hereby allowed.

The petitioner No.1 is herein from this date appointed as minor guardian of petitioners No.2 to 4 for the welfare of the petitioners No.2 to 4.



***Petitioner No.1 is herein
from this date hereby
permitted to obtain
government and other
facilities on behalf of minor
petitioners No.2 to 4 for the
welfare of petitioners No.2 to
4 and the family.***

***Looking to the facts and
circumstances of the case no
order as to cost.***

(Directly dictated to Stenographer on Computer, corrected by me then taken print out from computer and pronounced by me in the Open-Court this the 9th day of June 2026).

**Sd/-
(Sunil S.Talawar)
Senior Civil Judge And
J.M.F.C., Shiggaon.**

ANNEXURE

LIST OF WITNESSES EXAMINED ON BEHALF OF PETITIONER:

PW.1 : Smt. Ratna Patil

LIST OF DOCUMENTS MARKED ON BEHALF OF PETITIONER:

Ex.P.1 to 3	: School certificates
Ex.P.4 & 5	: Death certificates
Ex.P.6	: Paper publication
Ex.P.7 & 8	: Aadhaar cards of petitioner No.1 and 3



**LIST OF WITNESS EXAMINED ON BEHALF
OF RESPONDENT:**

NIL

**LIST OF DOCUMENTS MARKED ON
BEHALF OF RESPONDENT:**

NIL

Sd/-
**Senior Civil Judge and
J.M.F.C., Shiggaon.**

