

IN THE COURT OF THE DISTRICT JUDGE, KASARAGOD

Present:-Sri.Sanu.S.Panicker, District Judge,
Saturday, 21st day of March, 2026/30th Phalguna, 1947

O.P.No.03 OF 2026 (G & W)

In the matter of : 1. Dhanush.N.S, aged 11 years
minors (DOB : 22.05.2014)
2. Dihan.N.S, aged 2 years
(DOB : 14.06.2023)

Between:-

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| <p>1) Sushma M, aged 31 years,
W/o.Late Naveenaksha K,
R/at.'Sreekrishna Kripalaya',
SGK Temple Road, Ramdas Nagar,
Madhur Village, Ramdas Nagar Post
Kasaragod Taluk and District.</p> <p>2) Lolakshi, aged 55 years,
W/o.Dayananda,
R/at.'Sreekrishna Kripalaya',
SGK Temple Road, Ramdas Nagar,
Madhur Village, Ramdas Nagar Post
Kasaragod Taluk and District.</p> | <p> </p> | <p>Petitioners</p> |
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Petition filed under Section 7 and 29 of the
Guardians and Wards Act:

- a) To declare the 1st petitioner as the legal guardian of the person and property of the minors, the aforesaid, Dhanush N S and Dihan N S.
- b) Consequently grant leave to the 1st petitioner - Legal Guardian to sell the 2/4 undivided right of the minors, Dhanush N S and Dihan N S in the

property detailed in the schedule A here below for the highest prevailing price along with the petitioners right over the A schedule property.

- c) Permit the 1st petitioner-guardian to invest the share of the minors in the sale proceeds in any of the banks as fixed deposits for such term till the minors attain majority.

Petition presented on : 12.12.2025/
01.01.2026

Court Fee paid : ₹ 250/-

Legal Benefit Fund paid : ₹ 100/-

This petition coming on 18th day of March, 2026 day for final hearing before me in the presence of Sri.Subhash Bozz.V.M, Advocate for Petitioners; and having stood over to this day for consideration; the court passed the following:-

O R D E R

Heard,

Perused the records.

2. The first petitioner, the mother of the minor children, Dhanush.N.S., aged 11½ years and Dihan.N.S, aged 2½ years, seeks an appointment as

the guardian of her minor children and also seeks permission to sell the minors' right over the petition A schedule properties.

3. The first petitioner is the widow of the deceased Naveenaksha.K, who died on 15.09.2024. The petitioners, and the minors are the only legal heirs of the deceased Naveenaksha.K. The petition A schedule property stands in the name of the deceased husband of the first petitioner.

4. The first petitioner, filed a proof affidavit in lieu of her chief examination in tune with the averments in the petition. The evidence let in by the first petitioner would go to show that she decided to purchase another property by selling the schedule property for their better living. She further submitted that she is unable to meet the educational and other expenses of her children after the death of her husband. She produced Exts.A1 to A6 to substantiate her claim.

5. I have perused the documents produced by the first petitioner.

6. Paper publication including citation has been duly published.

7. Having gone through the necessity projected by the first petitioner, I am of the view that providing education is the paramount importance to their life, without which, no welfare of the children can be secured and to which their landed property can be sold. Further, I do not find any reason to believe that, the petitioner has any adverse interest over the minors' interest. Therefore, I am of the view that the first petitioner can be permitted to sell the minors' interest in respect of the petition A schedule property for the following conditions.

In the result, the OP is allowed as follows:

- 1) The first petitioner is appointed as the guardian of the minor children Dhanush.N.S and Dihan.N.S, R/at.'Sreekrishna Kripalaya', SGK Temple Road, Ramdas Nagar, Madhur

Village, Ramdas Nagar Post, Kasaragod Taluk & District.

- 2) The first petitioner shall purchase new property in the name of the minors' also by utilising their share.
- 3) The first petitioner is authorised to execute documents including sale deed for and on behalf of the minor children in respect of their share in the petition A schedule property.
- 4) The first petitioner shall obtain a previous approval of the draft sale deed from this court before its execution. The petitioner shall execute a bond for an amount of **₹2,00,000/- (Rupees Two Lakhs only)** undertaking to deposit sale consideration in favour of the minor children in a Nationalized Bank until they attain majority within a period of 30 days from today.
- 5) The petitioner shall **deposit** an amount of **₹80,000/- (Rupees Eighty Thousand only) each** in favour of the minor children in a Nationalized Bank until they attain majority and produce the original Fixed Deposit

receipt before this court and shall also file an undertaking from the bank that no such amount shall be disbursed to the minors without permission of this court. The said deposit shall be made within 30 days from the date of sale.

The original documents produced by the first petitioner is ordered to be returned to her on production of its certified copies.

With the above orders, this petition stands allowed.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 21st day of March, 2026.

**Sd/-
DISTRICT JUDGE
KASARAGOD**

APPENDIX OF EVIDENCE

Exhibits Marked for Petitioner:-

- | | | |
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| A1 | 16.01.2020 | Original Sale Deed No.192/2020 of SRO, Manjeshwar in respect of the A schedule property. |
| A2 | 12.10.2024 | Death Certificate of Naveenaksha.K issued by Registrar of Births and Deaths, Kumbla Grama Panchayat. |

- A3 17.10.2025 Birth Certificate of Dhanush.N.S
issued by Registrar of Births and
Deaths, Kasaragod Municipality.
- A4 21.08.2023 Birth Certificate of Dihan.N.S
issued by Registrar of Births and
Deaths, Kasaragod Municipality.
- A5 18.10.2025 Valuation Certificate in respect
of the A schedule property issued
by Village Officer, Koipady
Village.
- A6 12.08.2025 Legal Heirship Certificate of
Naveenaksha.K issued by Tahsildar,
Manjeshwar Taluk.

Exhibits Marked for Respondents:- Nil

Witness Examined for Petitioner :-

PW1 - 18.03.2026 - Sushma.M

Witness Examined for Respondents:- Nil

Court Exhibits:- Nil

**Sd/-
DISTRICT JUDGE
KASARAGOD**

//True copy//

SHERISTADAR

Typed by : Sajith Kumar.V
Compared by : Reshmi.P

Fair/Copy of Order in
O.P.No.03/2026 (G&W)
Dated: 21.03.2026