

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,
COIMBATORE**

Present: **Tmt. G. VIJAYA, B.A., M.L., PGDCFS**
Principal District Judge, Coimbatore.

Friday, this the 27th day of March, 2026

(திருவள்ளூர் ஆண்டு 2057 விசுவாவசு ஆண்டு பங்குனி திங்கள் 13-ஆம் நாள் வெள்ளிக்கிழமை)

H.M.G.O.P. No.133/2025
(CNR No.TNCB010026412025)

**(In the matter of sale of the property to third party which is belonged to the
minor Lakshitha Srinath, D/o.Y.J.Srinath)**

Y.J.Srinath

... Petitioner

//vs//

1. Mrs. K.Ananthi
2. Ms. Harshitha Srinath
3. Mrs.K.Nagamani
4. N.Ramakrishnan
5. Mrs.C.P.Nagambal
6. Mrs.N.Saradha
7. P.Balagurunathan

... Respondents

This petition came before me for final hearing on 10-03-2026 in the presence of **Tvl. R.Parthiban, Tmt.Jayanthi Parthiban and Jaideep P.J., (RP Associates)**, Advocates for the petitioner and of **Mrs.Kiruthiga**, Advocate for the respondents No.1 to 3 and of **Thiru.R.Ramprakash**, Advocate for the respondent Nos.4 to 6 and of **Mrs.Kalaiselvi**, Advocate for the respondent No.7, and upon perusing the records and hearing arguments and having stood over for consideration till this day, this Court passes the following:-

ORDER

This petition is filed by the Petitioner, u/s.8(1) and (2) of Hindu Minority and Guardianship Act, praying to grant permission to the petitioner to sell the minor's 1/9 share in the petition mentioned property to the respondent No.7.

2. Averments contained in the petition:

(i) The petitioner who is the father of the minor Lakshitha has filed the present petition, praying to grant permission to sell the minor's 1/9 share in the petition mentioned property.

(ii) The 1st respondent is the wife of the petitioner. They had two daughters namely 2nd respondent and the minor Lakshitha. The 3rd respondent is the mother of the petitioner i.e., grandmother of the minor. The respondents 4 to 6 are the legal heirs of one Late Natarajan. The said Late Natarajan is the brother of the 3rd respondent. The 7th respondent is the proposed buyer of the petition mentioned property and the petitioner and the respondents No.1 to 6 entered a sale agreement with the 7th respondent.

(iii) Originally the property has been obtained by one N.Krishnasamy Iyer by virtue of settlement deed dated 05-02-1973. The said document has been registered as Doc.No.385/1973 in SRO Coimbatore. The said N.Krishnasamy Iyer is the son of the petitioner's maternal grandfather Narayanasamy Iyer.

(iv) The above said N.Krishnasamy Iyer had executed a Will, dated 12-11-1984 at SRO-II, Coimbatore and the said document has been registered as Doc.No.140/1984. In the said Will, the said N.Krishnasamy bequeathed the petition mentioned properties to; i) 3rd respondent, ii) Late Natarajan who is the wife of 5th respondent and father of respondents No.4 and 6, iii) Tmt.Lakshmi who is the sister of the 3rd respondent. It is also mentioned in the said Will that the 3rd respondent is having life estate and after her life time, the petitioner is entitled to enjoy the same and the petitioner's family members are having absolute right in the said property.

(v) N.Krishnasamy Iyer, who is maternal grandfather of the petitioner and the paternal great grandfather of the minor Lakshitha, died on 26-03-1991. After his demise, as per the Will executed by the said N.Krishnasamy, the petitioner and the respondents No.1 to 6 enjoyed the petition mentioned property jointly. Tmt.Lakshmi, who is the sister of the 3rd respondent, had executed a settlement deed dated 28-08-2017, in respect of her 1/3 share in the petition mentioned property. The said document has been registered as Doc.No.4806/2017.

(vi) The 3rd respondent had executed a settlement deed dated 16-10-2017, in favour of the petitioner in respect of her right of enjoyment in the petition mentioned property. The said document has been registered as Doc.No.5903/2017. Since the petitioner and the respondents No.1 to 6 are not

in the position to enjoy the property jointly, since the respondents No.3 to 5 are in need of money for their family expenses and business purpose, they decided to sell the petition mentioned property and accordingly they entered into agreement for sale dated 11-12-2024 with the respondent No.7 and registered the same as Doc.No.8709/2024 at SRO, Coimbatore. They fixed sale price as Rs.45,00,000/- which is higher than the market value and the 7th respondent has paid a sum of Rs.30,00,000/- as advance to the respondents No.2 to 6.

(vii) Both the petitioner, his daughter i.e., 2nd respondent and his another daughter namely minor Lakshitha Srinath are jointly entitled 3/9 in petition mentioned property. 3rd respondent is entitled 3/9 share and the respondents No.4 to 6 are entitled 3/9 share in the petition mentioned property.

(viii) Petitioner's minor daughter Lakshitha Srinath born on 09-06-2010 and as of now, she is studying 9th standard. The petitioner is ready to deposit the value of minor in the sale proceeds i.e., Rs.5,00,000/- in the name of the minor. Hence, the petitioner has filed the present petition.

3. General notices by way of news Paper publications, by way of affixtures in public offices and by way of beat of *Tom Tom* were effected. No objector was present. In spite of Public notices, no one has appeared before this Court with a view to purchase the property or to object the petition.

4. The learned counsel who are appearing for the respondents No.1 to 7 have filed separate memos stating that they have no objection to allow the petition.

5. **Points for considerations are:-**

"1. Whether permission is to be granted to the petitioner to sell the minor's undivided 1/9 share in the petition mentioned property to the 7th respondent?

2. Whether the proposed sale is for the benefit of the Minor?"

Decision to the Point Nos. (1) and (2):-

6. Heard and documents perused. The petitioner who is the father of minor Lakshitha Srinath has filed the present petition, praying to grant permission to him to sell the minor's 1/9 share in the petition mentioned property to the 7th respondent.

7. In support of the petition, petitioner has been examined as P.W.1 and 16 documents have been marked as Ext.P-1 to Ext.P-16. No oral and documentary evidence was adduced on the side of the respondents.

8. This Court has perused the documents and the evidence of P.W.1. P.W.1 while giving evidence has deposed that, he is the father of the minor Lakshitha Srinath. P.W.1 has further deposed that 1st respondent is his wife and they had

two daughters namely 2nd respondent and the minor Lakshitha. The 3rd respondent is his mother i.e., grandmother of the minor. The respondents 4 to 6 are the legal heirs of one Late Natarajan. The said Late Natarajan is the brother of the 3rd respondent. The death certificate and legal heir certificate of the above said Natarajan have been marked as **Ext.P-7 and Ext.P-8** respectively. P.W.1 has further deposed that the 7th respondent is the proposed buyer of the petition mentioned property and the petitioner and the respondents No.1 to 6 entered a sale agreement with the 7th respondent. The said sale agreement has been marked as **Ext.P-9**.

9. P.W.1 has further deposed that originally the property has been obtained by one N.Krishnasamy Iyer by virtue of settlement deed dated 05-02-1973. The said document has been marked as **Ext.P-1**. P.W.1 has further deposed that, the said N.Krishnasamy Iyer is the son of his maternal grandfather Narayanasamy Iyer. P.W.1 has further deposed that the above said N.Krishnasamy Iyer had executed a Will, dated 12-11-1984 at SRO-II, Coimbatore. The said Will has been marked as **Ext.P-2**. In the said Will, the said N.Krishnasamy bequeathed the petition mentioned properties to; i) 3rd respondent, ii) Late Natarajan who is the wife of 5th respondent and father of respondents No.4 and 6, iii) Tmt.Lakshmi who is the sister of the 3rd respondent. P.W.1 has further deposed that it is also mentioned in the said Will that the 3rd respondent is having life

estate and after her life time, he is entitled to enjoy the same and his family members are having absolute right in the said property.

10. P.W.1 has further deposed that, N.Krishnasamy Iyer, who is his maternal grandfather and the paternal great grandfather of the minor Lakshitha, died on 26-03-1991. The death certificate and legal heir certificate of deceased N.Krishnasamy have been marked as **Ext.P-3 and Ext.P-4** respectively. P.W.1 has further deposed that, after the demise of N.Krishnasamy Iyer, as per the Will executed by him, he and the respondents No.1 to 6 enjoyed the petition mentioned property jointly. P.W.1 has further deposed that Tmt.Lakshmi, who is the sister of the 3rd respondent, had executed a settlement deed dated 28-08-2017, in respect of her 1/3 share in the petition mentioned property. The said settlement deed has been marked as **Ext.P-5**.

11. P.W.1 has further deposed that, the 3rd respondent had executed a settlement deed dated 16-10-2017, in his favour in respect of her right of enjoyment in the petition mentioned property. The said settlement deed has been marked as **Ext.P-6**. P.W.1 has further deposed that since he and the respondents No.1 to 6 are not in the position to enjoy the property jointly, since the respondents No.3 to 5 are in need of money for their family expenses and business purpose, they decided to sell the petition mentioned property and accordingly they entered into agreement for sale dated 11-12-2024 with the

respondent No.7 and registered the same as Doc.No.8709/2024 at SRO, Coimbatore. The said agreement for sale has been marked as **Ext.P-9**. They fixed sale price as Rs.45,00,000/- which is higher than the market value and the 7th respondent has paid a sum of Rs.30,00,000/- as advance to the respondents No.2 to 6.

12. P.W.1 has further deposed that, both he and his two daughters i.e., 2nd respondent and the minor Lakshitha Srinath are jointly entitled 3/9 in petition mentioned property. The 3rd respondent is entitled 3/9 share and the respondents No.4 to 6 are entitled 3/9 share in the petition mentioned property.

13. P.W.1 has further deposed that, his minor daughter Lakshitha Srinath born on 09-06-2010 and as of now, she is studying 9th standard. The birth certificate of minor Lakshitha Srinath has been marked as **Ext.P-12**. The Bonafide certificate issued by the school authority in the name of minor Lakshitha Srinath has been marked as **Ext.P-16**. P.W.1 has further deposed that he is ready to deposit the value of minor in the sale proceeds i.e., Rs.5,00,000/- in the name of the minor. P.W.1 has further deposed that being the father of the minor, he has no adverse interest in the welfare of the minor and hence, prays to allow the petition.

14. From the evidence of P.W.1, it is evident that the 1st respondent is the wife of the petitioner. They had two daughters namely 2nd respondent and the minor Lakshitha. The 3rd respondent is the mother of the petitioner i.e., grandmother of the minor. The respondents 4 to 6 are the legal heirs of one Late Natarajan. The said Late Natarajan is the brother of the 3rd respondent. Originally the property has been obtained by one N.Krishnasamy Iyer by virtue of settlement deed dated 05-02-1973. The said N.Krishnasamy Iyer is the son of the petitioner's maternal grandfather Narayanasamy Iyer. The above said N.Krishnasamy Iyer had executed a Will, dated 12-11-1984. In the said Will, the said N.Krishnasamy bequeathed the petition mentioned properties to; i) 3rd respondent, ii) Late Natarajan who is the wife of 5th respondent and father of respondents No.4 and 6, iii) Tmt.Lakshmi who is the sister of the 3rd respondent. It is also mentioned in the said Will that the 3rd respondent is having life estate and after her life time, the petitioner is entitled to enjoy the same and the petitioner's family members are having absolute right in the said property.

15. N.Krishnasamy Iyer, who is maternal grandfather of the petitioner and the paternal great grandfather of the minor Lakshitha, died on 26-03-1991. After his demise, as per the Will executed by the said N.Krishnasamy, the petitioner and the respondents No.1 to 6 enjoyed the petition mentioned property jointly. Tmt.Lakshmi, who is the sister of the 3rd respondent, had executed a settlement deed dated 28-08-2017, in respect of her 1/3 share in the petition mentioned

property. The 3rd respondent had executed a settlement deed dated 16-10-2017, in favour of the petitioner in respect of her right of enjoyment in the petition mentioned property and accordingly both the petitioner, his daughter 2nd respondent and his another daughter minor Lakshitha Srinath are jointly entitled 3/9 in petition mentioned property. 3rd respondent is entitled 3/9 share and the respondents No.4 to 6 are entitled 3/9 share in the petition mentioned property. Since the petitioner and the respondents No.1 to 6 are not in the position to enjoy the property jointly, since the respondents No.3 to 5 are in need of money for their family expenses and business purpose, they decided to sell the petition mentioned property and accordingly they entered into agreement for sale dated 11-12-2024 with the respondent No.7 and they fixed sale price as Rs.45,00,000/- which is higher than the market value and the 7th respondent has paid a sum of Rs.30,00,000/- as advance to the respondents No.2 to 6.

16. According to P.W.1, the proposed sale of the petition mentioned property is a legal necessity and for the welfare, upkeep and maintenance of the minor as well as for the family and business expenses of the respondents 3 to 5. The petitioner is ready to deposit the value of minor's 1/9 share i.e., Rs.5,00,000/- in the name of the minor.

17. Petitioner has produced the copy of birth certificate of the minor Lakshitha Srinath and the same has been marked as **Ext.P-12**. On perusal of

Ext.P-12, it appears that minor Lakshitha Srinath was born on 09-06-2010. As per Ext.P-12, minor Lakshitha Srinath is now aged about 16 years. Therefore she has to pursue her studies further and hence, it is imperative that P.W.1 is in need of money for education, maintenance and welfare of her minor children. In this petition, inspite of wide public notices no one has come forward to purchase the petition mentioned property. Further respondents No.1 to 7 have filed separate memos stating that they have no objection to allow the petition. Hence, this Court is of the view that permission is to be granted to the petitioner to sell the minor's share in the petition mentioned property to the 7th respondent.

18. Though no one has come forward to oppose the case of the petitioner, this Court is having the duty to verify whether the sale price fixed by the petitioner is a fair one or not? While analyzing on that aspect, according to the petitioner, the 7th respondent is agreed to purchase the property for a total sale consideration of Rs.45,00,000/- and a sum of Rs.30,00,000/- has been received as advance by the respondents No.2 to 6. On perusal of schedule of property mentioned in the petition, it appears that the petition mentioned property is having total extent of 1338 sq.ft which is situated at Kumarapalayam Village, Ponnaiyarajapuram (Gopal Layout). In the above said layout there is RCC building along with other amenities, electricity connection and its deposit amount, water connection and its deposit amount. The 7th respondent agreed to purchase the property for a sum of Rs.45,00,000/- and has paid a sum of

Rs.30,00,000/- as advance to the respondents No.2 to 6. The petitioner has produced the encumbrance certificate and guide line value of the petition mentioned property and the same have been marked as **Ext.P-10 and Ext.P-11** respectively.

19. As per guide line value - Ext.P-11, the guideline value of the property is Rs.2,900/-per Sq.Feet and the total extent of the petition mentioned property is 1338 Sq.Feet. Then the value of the petition mentioned property comes around a sum of Rs.38,80,200/-, however the 7th respondent offered to purchase property for Rs.45,00,000/-. Taking into consideration of the above, this Court comes to the conclusion that the sale price agreed by the petitioner and the respondents is a fair and market price prevailing in the locality of the petition mentioned property.

20. Admittedly, the petition mentioned property has been jointly derived by the petitioner, his minor daughter and the respondents No.2 to 6 from their ancestors. As of now, the petitioner, his two daughters i.e., 2nd respondent and minor Lakshitha are jointly entitled 3/9 share in the petition mentioned property. 3rd respondent is entitled 3/9 share and the respondents No.4 to 6 are entitled 3/9 share in the petition mentioned property. Since the above said parties are not in a position to enjoy the petition mentioned property jointly and the petitioner is in need of money for the welfare, upkeep, maintenance and educational

expenses of the minor, the respondents No.3 to 5 are in need of money for their family expenses and business purpose, they decided to sell the property.

21. As of now, the petitioner's minor daughter is aged about 16 years and she has to persuade her studies and hence, it is imperative that P.W.1 is in need of money for education, maintenance and welfare of his minor daughter. Moreover, the petitioner is ready to deposit the value of the minor's share in the name of the minor. There is no other contra evidence to reject the case of the petitioner.

22. After considering all the above said aspects, this Court is of the view that it is appropriate to direct the petitioner to deposit the value of the minor's share in the total sale consideration in any one of the Nationalized Bank till she attains majority. Further the petitioner does not have any adverse interest against his minor child. Hence, this Court does incline to allow the petition, however, subject to condition stated *infra*. Accordingly, the points are answered in favour of the petitioner.

In the result, this petition is allowed with the following conditions: -

- (i). Permission is granted to the petitioner namely Y.J.Srinath to sell minor's undivided 1/9 share in the schedule mentioned

property to the 7th respondent not less than **Rs.45,00,000/-** [Rupees Forty Five Lakhs only].

(ii). Out of the sale consideration, the petitioner is directed to deposit a sum of **Rs.5,00,000/-** (**Rupees Five Lakhs only**) in any one of the Nationalized Bank in the name of the Principal District Judge, Coimbatore, on behalf of the **Minor Lakshitha Srinath**, initially for a period of 12 months, and thereafter renewable periodically, till the minor attains the age of majority.

(iii) The deposit receipt should be obtained in the name of the Principal District Judge, Coimbatore on behalf of the **Minor Lakshitha Srinath**, and the same should be submitted to this Court.

(iv). The sale deed shall contain the recital of the fixed deposit made by the petitioner on behalf of the **Minor Lakshitha Srinath**,

(v) The petitioner shall produce the registration copy of the sale deed to this Court within 15 days from the date of execution of the sale deed.

(vi) The petitioner is at liberty to withdraw the accrued interest once in six months from the bank directly, for the upkeep, maintenance and education expenses of the **Minor Lakshitha Srinath**.

(vii) The petitioner should maintain account for the interest on the deposit amount to be received on behalf of the **Minor Lakshitha Srinath,**

(viii) Considering the nature of the petition, there shall be no cost.

This Order is dictated directly to steno-typist, typed by her, corrected and pronounced by me in the open Court on the 27th day of March, 2026.

PRINCIPAL DISTRICT JUDGE,
COIMBATORE.

LIST OF EXHIBITS MARKED

FOR THE PETITIONER'S SIDE:-

Ext.P-1	05-02-1973	Settlement deed stands in the name of N.Krishnasamy Iyer (SRO copy).
Ext.P-2	12-11-1984	Will executed by N.Krishnasamy (SRO copy).
Ext.P-3	16-04-1991	Death certificate N.Krishnasamy who died on 21-03-1991. (original).
Ext.P-4	06-08-2000	Legal heir certificate of deceased N.Krishnasamy Iyer. (original)
Ext.P-5	28-08-2017	Settlement deed executed by Tmt.Lakshmi who is the sister of the 3 rd respondent (SRO copy).
Ext.P-6	16-10-2017	Settlement deed executed by 3 rd respondent in favour of the petitioner (SRO copy)
Ext.P-7	11-10-2013	Death certificate of Natarajan, who died on 19-09-2013. (original)
Ext.P-8	27-03-2015	Legal heir certificate of deceased Natarajan (original)
Ext.P-9	11-12-2024	Sale deed entered between the petitioner and the respondents No.2 to 6 and the 7 th respondent. (SRO copy).

Ext.P-10	20-01-2025	Encumbrance certificate (computer downloaded printout).
Ext.P-11	---	Guide value of the petition mentioned property (computer downloaded printout).
Ext.P-12	18-05-2014	Birth certificate of minor Lakshitha Srinath who born on 09-06-2010. (original)
Ext.P-13	---	Photocopy of the family card of the petitioner.
Ext.P-14	---	Photocopy of the Aadhaar card of the petitioner.
Ext.P-15	---	Photocopy of the minor Lakshitha Srinath.
Ext.P-16	24-12-2024	Bonafide certificate issued by Vels Vidyashram in the name of the minor Lakshitha Srinath.

FOR THE RESPONDENTS' SIDE:

NIL

LIST OF WITNESSES EXAMINED

FOR THE PETITIONER'S SIDE:

P.W.1 Thir. Y.J.Srinath (Petitioner)

FOR THE RESPONDENTS' SIDE:

NONE

PRINCIPAL DISTRICT JUDGE,
COIMBATORE.

//True copy//

Draft Order in
H.M.G.O.P.No.133/2025
Dated:27-03-2026.