

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, DHARMAPURI.

Present: Tmt. C. Thirumagal, M.L.,
Principal District Judge.

Tuesday, the 14th day of July, 2026

Guardian Original Petition No.80/2025.

(In the matter of Minor E. Karthik aged about 13 years)

Elango

... Petitioner

/Versus/

Nil

... Respondent

This petition came before me on 02.06.2026 for final hearing before me in the presence of Thiru. S. Senthilnathan, Advocate for the petitioner and nil respondent in this case and upon hearing arguments of petitioner side and on perusal of the case records this court passed the following.

ORDER

This petition is filed by the petitioner U/s.1 to 10 & 28 of Guardian and Wards Act, 1890 to appoint him as guardian for the minor and to permit him to sell the petition mentioned property.

The averments made in the petition in brief are as follows:-

2. The petitioner is the father of minor E. Karthik, who born on 02.10.2017. Minor E. Karthik is under the care and custody of his father/petitioner and he is studying in 8th standard in Government High School, Narthampatti of Dharmapuri.

On 19.10.2016, the minor's father and two others had executed a sale deed in respect of petitioner mentioned property in favour of the minor and in which the petitioner was appointed as guardian for the minor and the said property. The petitioner is maintaining the petition mentioned property on behalf of minor and from the date of sale deed. The petitioner is taking care and custody of the minor by providing better education, food and welfare to the minor. The petitioner is finding difficulty to meet out the expenses of the minor's education and future needs. The schedule property is agricultural land and due to lack of water sources, the value of said land is diminishing. The said property has to be disposed off to meet out educational and other expenses of the minor. Hence, the petitioner is seeking permission of the court to sell the petition mentioned property of the minor for his interest and welfare and he is ready to deposit the sale consideration in the bank and utilizes the interest towards maintenance of the minor and he is ready to submit the accounts before the court whenever required. Hence, the petition.

3(a). After effecting general notice through paper publication as well as by beat of tom tom, no objectors appeared to raise objection.

(b). In order to prove the claim, PW1 to PW3 were examined and Ex.P1 to Ex.P6 were marked on petitioner side.

4. Heard the learned counsel for the petitioner. Perused the records.

Point:

5. Whether the petitioner is to be appointed as guardian for the minor E.

Karthik and to be permitted to sell the petition mentioned property belongs to the minor, as prayed for ?

Answer to the Point:

6. The petitioner, who is father of minor E. Karthik, seeks an order to appoint him as guardian for the minor and to permit him to sell the petition mentioned property for welfare of minor. The minor is under the care and custody of the petitioner. On 19.10.2016, the minor's father Elango and two others had executed a sale deed of the property in favour of the minor and in which the petitioner was appointed as guardian for the minor and the said property. Now, the petitioner seeks permission to sell the said property of the minor.

7. To prove the claim, the petitioner deposed before this court as PW1 and filed proof affidavit reiterating the averments made in the petition. PW2, PW3 are the independent witness. The evidence of PW2 & PW3 establishes that the petitioner has no adverse interest against the minor and he would be the suitable person to be appointed as guardian of the minor.

8. On perusal of Ex.P1, the Sale Deed dated 19.10.2016, shows that the schedule property belongs to the minor. Ex.P2 is Education Certificate of Minor. Ex.P3 is Aadhaar card of Minor. Ex.P4 is Birth Certificate of Minor. Ex.P5 is Aadhaar card of petitioner. Ex.P6 is online copy of Guideline value. Therefore, from the above oral and documentary evidences, it is clear that the petitioner has proved bonafide in his claim and the necessity to sell the petition mentioned property for the

benefit and welfare of the minor. Further, the sale consideration has to be deposited into a Bank, and the guardian/petitioner would be entitled to receive the interest alone and thus the court is of the view that the minor's interest will be safeguarded by depositing of the sale consideration in a Nationalized Bank. Point is answered, accordingly.

Result:

In the result, the petition is allowed and the petitioner is appointed as guardian for the minor E. Karthik and the petitioner / guardian is permitted to sell the schedule mentioned property, on condition that he shall deposit the entire sale consideration, in the name of minor in a Nationalized Bank and the copies of Sale Deed and Fixed Deposit Receipts are to be produced before this court within 15 days from the date of sale. The petitioner is permitted to withdraw the accrued interest amount alone, once in 3 months, for the welfare of minor, till he attains majority.

Dictated to the steno-typist, computerized by him, after making corrections pronounced by me in open court, the 14th day of July 2026.

Principal District Judge,
Dharmapuri.

List of witnesses examined

On the petitioner side:-

PW1 Thiru. Elango
PW2 Thiru. Kandhasamy
PW3 Tmt. Bhuvana

List of exhibits markedOn the petitioner side:-

Ex.P1	19.10.2016	: Photocopy of Sale deed executed in favour of E. Karthik
Ex.P2	03.02.2025	: Photocopy of Education Certificate of E. Karthik
Ex.P3	---	: Photocopy of Aadhaar card of E. Karthik
Ex.P4	13.08.2012	: Photocopy of Birth Certificate of E. Karthik
Ex.P5	---	: Photocopy of Aadhaar card of petitioner
Ex.P6	01.07.2024	: Online copy of Guide line value

List of witness and exhibits on the respondent side :- Nil-

Principal District Judge,
Dharmapuri.

Draft/Fair Order in
G.O.P. No.80/2025
Dated: 14.07.2026
