

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,  
KRISHNAGIRI.**

**Present: Tmt.V.R.Latha, M.A., B.L.,  
Principal District Judge, Krishnagiri.**

Thursday, the 12<sup>th</sup> day of March 2026

GUARDIAN WARDS ORIGINAL PETITION No:152/2025

[CNR NO: TNKI01-003628-2025]

[In the matter of minor Hariprasath, S/o Late Ramesh, aged about 15 years, minor Thanu Varsha, D/o Late Ramesh, aged about 9 years and minor Krishnaprasath, S/o Late Ramesh, aged about 6 years, all are permanently residing at Sambalpallam Village, Melemlai post, Shoolagiri Taluk, Krishnagiri District]

Muniyammal

...Petitioner

..Vs..

1. The Superintendent of Police,  
Namakkal
2. The District Collector, Krishnagiri

... Respondents

This petition came up for final hearing before me on 06.03.2026 in the presence of Tr.A.Ramesh, counsel appearing for the petitioner, Tr.A.Dhandapani, Government pleader filed memo of appearance for the respondents, but no counter filed, hence, the respondents were called absent and set exparte. After hearing petitioner's side arguments and upon perusing oral and documentary evidence, this Court has passed the following:

**ORDER**

This petition has been filed by the petitioner under section 6 of Guardian and Wards Act, 1890 r/w section 7 to 10 of Guardian and Wards Act, 1890 seeking to appoint the petitioner as guardian for the minors and permit her to receive all death benefits of minors' father Ramesh, from the 1<sup>st</sup> respondent's office and permit her to file a necessary petition before the concerned authority on behalf of minors.

2] On perusal of the pleading in the petition, the petitioner ought to have published about this petition, so that this Court has directed the petitioner to comply about the guardian appointment in any news paper so that the general public enable to know about this Guardian petition. Accordingly Tamil Newspaper publication has been effected on 18.09.2025 in 'Dinakaran' daily newspaper. General notice also effected. In spite of such effects, there was no objection raised by anybody for granting permission for appointing the petitioner as guardian for the above said minors.

3] Notice sent to the respondents. Tr.A.Dhandapani, Government pleader filed memo of appearance for respondents. But, no counter filed. Hence, the respondents were called absent and set exparte.

4] The learned counsel appearing for the petitioner would submit that the minors Hariprasath, Thanu Varsha and Krishnaprasath are the children of the deceased Ramesh and Rajalakshmi. The learned counsel would further submit

that the minors' mother Rajalakshmi died on 23.05.2021, and thereafter the minors' father Ramesh, who was working as Special Sub-Inspector of Police in the Tamil Nadu Police Department, died on 30.04.2025 while in service. The learned counsel would submit that after the death of both the parents, the minors have been left without parental care, and they are presently under the care and custody of the petitioner, who is the maternal grandmother of the minors. The learned counsel would further submit that the paternal grandparents of the minors have already died, and due to family disputes among the relatives of the deceased Ramesh, none of them have come forward to take care of the minors or safeguard their welfare. It is also submitted that the minors are presently studying in Velankanni Matriculation Higher Secondary School, Shoolagiri, and the petitioner alone has been taking care of their education, maintenance and day-to-day needs.

5] The learned counsel would further submit that since the minors' father Ramesh died while in service in the Tamil Nadu Police Department, the minors are entitled to receive family pension, GPF, insurance amounts, gratuity and other service benefits. However, when the petitioner approached the 1<sup>st</sup> respondent office seeking payment of the said benefits on behalf of the minors, the authorities directed the petitioner to obtain a guardianship certificate from the competent Court. Therefore, the learned counsel would submit that the present petition has been filed seeking to appoint the petitioner as guardian of the person

and property of the minors, so that she may receive the service benefits of the deceased Ramesh on behalf of the minors and utilize the same for their welfare and education. The learned counsel would submit that the petitioner does not have any adverse interest against the minors, and the petition has been filed solely for the welfare and benefit of the minors. Hence, the learned counsel prays that this Hon'ble Court may be pleased to allow the petition and appoint the petitioner as guardian of the minors and permit her to receive the service benefits payable in respect of the deceased Ramesh on behalf of the minors.

6] In order to prove the case of the petitioner, the petitioner namely Muniyammal has been examined as P.W.1. She has stated in her evidence that the minors Hariprasath, Thanu Varsha and Krishnaprasath are the children of the deceased Ramesh and Rajalakshmi and that she is the maternal grandmother of the minors. P.W.1 has further deposed that the minors' mother Rajalakshmi died on 23.05.2021 and thereafter the minors' father Ramesh, who was working as Special Sub-Inspector of Police in the Tamil Nadu Police Department, died on 30.04.2025 while in service. P.W.1 has also stated that after the death of both the parents, the minors have been continuously under the care and custody of the petitioner, and the petitioner is taking care of their education, maintenance and welfare.

7] In order to substantiate the age and identity of the minors, the Birth Certificates of the minors were produced and marked as Ex.P.1 to Ex.P.3. To

show that the minors are studying in school, the Educational Certificates of the minors were produced and marked as Ex.P.4 to Ex.P.6. In order to prove the death of the minors' mother Rajalakshmi, the Death Certificate was produced and marked as Ex.P.7. Similarly, to establish the death of the minors' father Ramesh, the Death Certificate was produced and marked as Ex.P.8. To prove that the minors are the legal heirs of the deceased Ramesh, the Legal Heir Certificate was produced and marked as Ex.P.9. Further, the Aadhaar Cards of the minors were produced and marked as Ex.P.10 to Ex.P.12 to establish their identity. The letter issued by the 1<sup>st</sup> respondent was produced and marked as Ex.P.13, which shows that the petitioner was directed to obtain a Guardianship Certificate from the competent Court. Further, the certificate issued by the Namakkal District Police Office confirming the death of Ramesh while in service was produced and marked as Ex.P.14.

8] Thus, through the oral evidence of P.W.1 and the documentary evidence marked as Ex.P.1 to Ex.P.14, the petitioner has established that the minors are under her care and custody and that it is necessary to appoint the petitioner as guardian of the person and property of the minors.

9] This Court carefully considered the averments made in the petition, the arguments advanced by the learned counsel for the petitioner, and the oral and documentary evidence available on record. From the evidence of P.W.1, it is clear that the minors Hariprasath, Thanu Varsha and Krishnaprasath are the

children of the deceased Ramesh and Rajalakshmi. The documentary evidence marked as Ex.P.1 to Ex.P.3 clearly establishes the birth and age of the minors. Further, the Death Certificates marked as Ex.P.7 and Ex.P.8 clearly prove that the minors' mother Rajalakshmi died on 23.05.2021 and the minors' father Ramesh died on 30.04.2025 while working as Special Sub-Inspector of Police in the Tamil Nadu Police Department. The Legal Heir Certificate marked as Ex.P.9 shows that the minors are the legal heirs of the deceased Ramesh. The educational certificates marked as Ex.P.4 to Ex.P.6 also show that the minors are presently studying in school and are dependent on the petitioner for their maintenance and welfare.

10] The evidence of P.W.1 clearly establishes that after the death of both the parents, the minors have been under the care, custody and protection of the petitioner, who is their maternal grandmother. It is also brought on record that the paternal grandparents of the minors are no more. In this regard, this Court has perused the Legal heir certificate of the deceased Ramesh marked as Ex.P.9. On perusal of the said document, it is seen that the parents of the deceased Ramesh are shown as predeceased legal heirs, which clearly establishes that the paternal grandparents of the minors had already passed away. Further, due to family disputes among the relatives of the deceased Ramesh, none of them have come forward to take care of the minors or safeguard their welfare. Though general notice was issued through Newspaper publication in this petition, no objections

have been received from any of the relatives or interested persons. Therefore, it appears that no other person has come forward to claim custody or guardianship of the minors. It is further evident from Ex.P.13 and Ex.P.14 that the minors' father Ramesh died while in service in the Tamil Nadu Police Department and the authorities have directed the petitioner to obtain a Guardianship Certificate from the competent Court in order to receive the family pension and other service benefits payable to the minors.

11] In matters relating to appointment of guardian, the welfare of the minors is the paramount consideration. In the present case, the evidence on record clearly shows that the petitioner, being the maternal grandmother, has been taking care of the minors after the death of their parents and providing them with education, shelter and day-to-day necessities. Considering the overall circumstances of the case, this Court finds that the petitioner, being the maternal grandmother and the person who is presently taking care of the minors, is a fit and proper person to be appointed as guardian of the minors in order to safeguard their welfare and interests. This Court is also satisfied that the petitioner does not have any adverse interest against the minors and the petition has been filed only for the welfare and benefit of the minors. Therefore, this Court is of the view that it is just and necessary to appoint the petitioner as guardian of the person and property of the minors so that the service benefits payable in respect of the

deceased Ramesh can be received and utilized for the education, maintenance and welfare of the minors.

In the result, this petition is allowed. The petitioner Muniyammal is hereby appointed as the guardian of the person and property of the minors Hariprasath, Thanu Varsha and Krishnaprasath. The petitioner is permitted to receive the family pension, gratuity, GPF, insurance amount and other service benefits payable in respect of the deceased Ramesh from the office of the 1<sup>st</sup> respondent on behalf of the minors and to submit necessary applications and documents before the concerned authorities. The petitioner shall utilize the said amounts only for the welfare, education and maintenance of the minors. No order as to costs.

This Order is dictated to Steno-Typist, directly typed by Steno-Typist in computer, corrected and pronounced by me in the Open Court on this, the 12<sup>th</sup> day of March 2026.

Principal District Judge,  
Krishnagiri .

**Annexure:Petitioner side witness:**

P.W.1. - Muniyammal (Petitioner)

**Petitioner's side Exhibits:**

<b>Sl.No</b>	<b>Exhibits</b>	<b>Date</b>	<b>Description of Documents</b>
1.	Ex.P.1	19.05.2011	Birth certificate of minor Hariprasath (Xerox copy)

2.	Ex.P.2	23.08.2017	Birth certificate of minor Thanu Varsha (Xerox copy)
3.	Ex.P.3	11.12.2019	Birth certificate of minor Krishnaprasath (Original)
4.	Ex.P.4	04.07.2025	Study certificate of minor Hariprasath (Original)
5.	Ex.P.5	04.07.2025	Study certificate of minor Thanu Varsha (Original)
6.	Ex.P.6	04.07.2025	Study certificate of minor Krishnaprasath (Original)
7.	Ex.P.7	06.10.2022	Death certificate of minors' mother Rajalakshmi (Xerox copy)
8.	Ex.P.8	08.05.2025	Death certificate of minors' father Ramesh (Xerox copy)
9.	Ex.P.9	03.06.2025	Legal heir certificate of minors' father Ramesh (Xerox copy)
10.	Ex.P.10	-	Aadhar card of minor Hariprasath (Xerox copy)
11.	Ex.P.11	-	Aadhar card of minor ThanuVarsha (Xerox copy)
12.	Ex.P.12	-	Aadhar card of minor Krishnaprasath(Xerox copy)
13.	Ex.P.13	21.07.2025	Letter sent from the 1 <sup>st</sup> respondent office (Original)
14.	Ex.P.14	18.08.2025	Certificate issued by the 1 <sup>st</sup> respondent office (Original)

**Respondent's side witnesses and Exhibits : NIL**

-----

Principal District Judge,  
Krishnagiri