

In the Court of the Principal District Judge,
Principal District Court , Kancheepuram.

PRESENT: Tmt. Deepthi Arivunithi, M.L.,
Principal District Judge,
Principal District Court ,
Kancheepuram.

Monday the 27th day of April 2026

HMGOP No.126/2025

(CNR No.TNKP060037882025)

(In the matter of Minor Hareshkarthi, aged 13 years represented by his
father and natural guardian and next friend Mr. R. Saravana Kumar)

R. Saravana Kumar

..Petitioner.

Vs.

Nil

..Respondent.

This petition coming on 15.04.2026 for hearing before me in the
presence of M/s. S. Ramamoorthi, D. Presanna, V. Rajan, Counsels
appearing for the petitioner and upon general notice having been made in
the village by beat of Tom Tom and affixture on the Notice Board, and
paper publication Tamil Daily filed and no objectors having been
present, and upon perusing the petition and other connected records and
having stood over for consideration till this day, this court delivered the
following

ORDER

Petition filed under s.8(2) of the Hindu Minority and Guardianship Act, 1956 seeking permission to sell and convey the minors' 2/3rd share over the suit schedule property along with the share of the othe family members and to deposit the minor's 2/3rd share which according to the guideline value shall not be less than Rs.7,59,220/- for the proper ends of justice.

2. There are no respondents arrayed in this petition. The general notice by beat of tom tom was served and paper publication was effected. No objectors were present before this court. On behalf of the petitioner PW1 was examined and Ex. P1 to P11 were marked. At the time of arguments it was informed that one of the minors namely Vishesh has attained majority and therefore, the petition in respect of the said minor was dismissed as withdrawn. Heard the petitioner counsel.

3. The case of the petitioner is as follows. The petitioner is the father and natural guardian of his minor son Hareshkarthi. The schedule mentioned property originally belonged to one Mrs. Vaneeswari who is the absolute owner who was in possession and enjoyment of the suit property. By way of sale deed dated 23.06.2021, in document No. 10380/2021 Mrs. Vaneeswari purchased the said property from Mrs. Malliga through her

power agent R. Saravana Kumar. On 08.02.2025, the said Mrs. Vaneeswari died leaving behind the petitioner and his two sons as her legal heirs. The said persons are entitled to equal share in the property. The said property is proposed to be sold to meet out the educational expenses of the children and all the family members have given their consent to sell the property. The minor Hareshkarthi has 1/3rd share in the said property. The petitioner is ready to deposit the share of the minor before this court.

4. In the absence of their mother, the minor son and his brother are being taken care by the petitioner. The petitioner undertakes to take full effort to sell the property in the highest value possible considering the interest of his minor son. The parents of Mrs. Vaneeswari predeceased her. The proposed sale is for the legal necessity and welfare of the children. The petitioner undertakes to utilise the amounts for the minors' education and medical expenses. Hence, that the petition be allowed.

5. The following documents are produced by the petitioner to prove her case. The sale deed dated 23.06.2021 is marked as Ex. P1. The death certificate of (late) Vaneeswari is marked as Ex. P2. The legal heir certificate of (late) Vaneeswari is marked as Ex. P3. The birth certificate of the R.S. Vishesh is marked as Ex. P4. The Aadhar card of R.S. Vishesh is marked as Ex. P5. The birth certificate of R.S. Hareshkarthi is marked as

Ex. P6. The Aadhar card of R.S. Hareshkarthi is marked as Ex. P7. The Aadhar card of the petitioner is marked as Ex. P8. The patta issued in the name of Vaneeswari is marked as Ex. P9. The encumbrance certificate of the property is marked as Ex. P10. The guideline value of the property is marked as Ex. P11. The sale agreement dated 01.08.2025 is marked as Ex. P12.

6. Upon perusal of the records, it is seen that the minor R.S. Hareshkarthi is born on was born on 23.09.2011 and remains a minor till date. It is seen that the property in question is the self acquired property of his mother Vaneeswari. The sale deed is produced. It is seen that the said person is succeeded by the petitioner and his two sons. One of the sons attained majority and therefore, the present petition is filed seeking permission to sell the 1/3rd share of the second son. The legal heir certificate is produced. It is seen that the parents of the said Vaneeswari predeceased her. Thus, it is seen that the petition mentioned properties are the absolute properties of the petitioner and his children. It is seen that the petitioner has entered into a sale agreement with one Baskaran Mahalingam to sell the property. He would state that the sale is absolutely essential to meet the educational expenditure and for the welfare of the minor son. Since the petitioner is the father, he need not act adverse to the interest of

the minor children. It is also seen that the petitioner is ready and willing to deposit the share of the minor before this court. On perusal of the guideline it is seen that the value of the property is Rs.11,38,830/- and the sale consideration is also fixed based on the guideline value. Thus, it is seen that the value fixed is also reasonable. Hence, this court finds that the present petition can be allowed on imposing certain conditions.

7. In result, the petition is allowed without costs as follows.

(i) The petitioner is permitted to sell the suit schedule property on behalf of the minors R.S. Hareshkarthi born on 23.09.2011 to the extent of his 1/3rd share in the schedule mentioned property within a period of six months from the date of receipt of this order.

(iii) The 1/3rd share amount of the minors being a sum of Rs.3,79,610/- due to the minor shall be deposited in any nationalized bank in the name of the Principal District Judge, Kancheepuram in favour of the minor.

(iii) The petitioner is permitted to withdraw the interest once in three months from the above said deposit and utilize the amount for the minor's welfare.

(iv) The petitioner shall maintain proper accounts for the same till the minor attains majority and produce it before this court as and when required.

(v) The petitioner is directed to give a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) as contemplated under section 34 of the Guardians and Wards Act, 1980.

//This Order has been partly dictated to the stenographer, taken down, transcribed and typed by her in the computer and partly typed by me in my laptop, corrected and pronounced by me in the open Court on this Monday the 27th day of April 2026.

Principal District Judge,
Principal District Court
Kancheepuram.

Petitioner's side witness:-

P.W.1 Thiru. Saravana Kumar
P.W.2 Thiru. Baskaran Mahalingam

Petitioner's side Exhibits:-

Ex.P.1	23.06.2021	Certified copy of Sale Deed Doc.No.10380/2021 SRO Kundrathur executed by Malliga through the lawful power agent R. Saravana Kumar4 in favour late Vaneeswari in respect of schedule property
Ex.P.2	08.02.2025	Online copy of Death certificate of late Vaneeswari
Ex.P.3	11.03.2025	Copy of legal heir certificate of late Vaneeswari
Ex.P.4	--	Copy of Birth certificate of Minor R.S. Vishesh
Ex.P.5	26.02.2016	Copy of Aadhar card of R.S. Vishesh
Ex.P.6	--	Online copy of Birth certificate of Minor Haeshkarthi
Ex.P.7	12.10.2019	Copy of Aadhar car of Hareshkarthi
Ex.P.8	05.06.2013	Copy of Adhar card of R.Saravanakumar

Ex.P.9	--	Copy of he online patta in Patta nO.5108 stand in the name of the late Vaneeswari
Ex.P.10	23.07.2025	Certified copy of Encumbrance certificate from 01.01.2021 to 22.07.2025
Ex.P.11	28.07.2025	Online copy of Guideline value of schedule of property
Ex.P.12	01.08.2025	Sale agreement

Principal District Judge,
Principal District Court
Kancheepuram.

Draft/Fair Order

HMGOP No.126/2025

Dt. 27.04.2026

Principal District Court ,

Kancheepuram

