

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, PERAMBALUR,
STATE OF TAMILNADU.

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,
Principal District Judge, Perambalur.

Wednesday, this the 1st day of July, 2026.

G.W.O.P.No.24/2026
(Filing No.OP/208/2026)
(CNR No.TNPB01-000611-2026)

Amutha, 47/26,
W/o. Rajaraman,
Perumathur Nallur.

. . Petitioner.

Vs.

Nil

. . Respondent.

This petition came up before me for the final hearing on 24.06.2026 in the presence of Advocate Thiru.A.Pakutharivalan, appeared for petitioner and Paper publication and General Publication being effected, “No Objectors” and upon hearing petitioner side, perusing the pleadings, documentary and oral evidence available on record and having stood over for consideration until this day, this Court delivers the following:

ORDER

This is a petition filed under Section 7, 8 and 29 of Guardian and Wards Act, 1890.

THE BRIEF AVERMENTS IN THE PETITION ARE AS FOLLOWS:-

2. The petitioner and her husband Rajaraman are living in West Street, Perumathur Nallur Village. Out of their wedlock, the petitioner given birth to a daughter namely Elamathi on 02.09.2015 and she is studying 5th standard in Oxford Nursery and Primary School, Adaikamparai, Vellore District. One Kavinesh is the younger brother to the said Elamathi.

(2.1) One Kandasamy Padayachi, S/o. Azhagiri Padayachi is the father of Rajaraman and father-in-law of the petitioner herein. He had purchased a property described in the petition, under a sale deed dated 01.07.2009. Later, he had executed a settlement deed on 10.09.2018 donating property to his grand daughter Minor Elamathi appointing her mother Amutha, the petitioner herein as a guardian. The petitioner's husband said Rajaraman is a differently abled person. He is not in a position to contribute income to the family. The petitioner being a woman is working hard to bringing up both of her children providing good education. As there is no sufficient income to maintain her minor daughter, a small extent of $\frac{3}{4}$ share vacant site has to be sold to a 3rd party. Therefore, she has filed this petition seeking permission of the Court to alienate the property of the minor.

(2.2) The petitioner has further stated that one Selvarani, W/o. Arivalagan aggrieved to purchase the property for a sum of Rs.1,00,000/- and an advance of Rs.5,000/- is also paid by her. Therefore, the present petition filed for the interest of the minor.

3. After this petition was taken on file a paper publication was effected in a Tamil daily and beat of tom tom also effected in the area where the property situated. There is no objection received by this Court. Therefore, the case posted for inquiry and production of evidence in support of the petition. The petitioner examined as PW1 and Ex.P.1 to Ex.P.11 are marked and one Rajaraman, who is the husband of the petitioner examined as PW.2 and the intending purchaser namely Selvarani examined as PW.3.

4.The point for determination is whether the permission sought by the guardian to alienate the property for the welfare of minor daughter and it can be granted or not?

5. Heard, the learned counsel appearing for the petitioner. Perused the averments in the petition, documents and the oral evidence of PW.1 to PW.3.

6. The petitioner who has been examined as PW.1 is the wife of PW.2. Minor Elamathi is their daughter. The aadhaar card and family card of the petitioner, aadhaar card and birth certificate of the minor Ex.P1 to Ex.P4 are sufficient to establish the fact that Minor Elamathi is the daughter of PW1 and PW2. She is studying in the Oxford Nursery and Primary School and the bonafide certificate Ex.P5 produced by the petitioner is sufficient to prove this fact.

7. PW.1's father-in-law, PW.2's father Kandhasamy had purchased $\frac{3}{4}$ cents vacant site under a sale deed Ex.P6 as its an sole owner. He executed a settlement deed on 10.09.2018 in favour of his paternal grand daughter Minor Elamathi under Ex.P7. The revenue records Ex.P8 and Ex.P9 would also go to show that the property belongs to PW.2's father.

8. The petitioner has prayed permission to alienate the property to PW.3 belongs to her minor daughter under Ex.P8. The reason stated in the petition is her husband is a differently abled person and he is not contributing any income to the family. Further, the petitioner's daughter is studying in a private school and there is a financial requirement to provide good education to her.

9. The reasons are also supported by oral evidence of PW1 and PW2. A small extent of $\frac{3}{4}$ cents vacant site was settled in favour of Minor Elamathi for her grand father. Now, the petitioner being a mother prayed permission to provide good education and bringing her up. Therefore, the reasons are sufficient and the sale agreement Ex.P10 and other documents are supporting the averments in the petition. Therefore, this Court is of the view that the petitioner has shown a sufficient cause

and established a fact that the property has to be alienated for the welfare and interest of the minor. Therefore, this petition is allowed and the point is decided accordingly.

10. In the result, this petition is allowed. Consequently, the petitioner is permitted to sell the petition mentioned property to one Selvarani, W/o. Arivalagan or her men for a sale consideration of Rs.1,00,000/- The petitioner shall use the sale consideration only for the welfare of the minor.

After completion of sale transaction, the petitioner shall produce a copy of the sale deed before this Court within a month. There is no order as to costs.

Dictated to the Executive Assistant, transcribed and typed by her in computer, corrected and pronounced by me in open Court, this the 1st day of July, 2026.

Principal District Judge,
Perambalur.

ANNEXURE:

Petitioner's side witnesses:

- 1 Pw1 Mrs. Amutha.
- 2 Pw2 Mr. Rajaraman.
- 3 Pw3 Mrs. Selvarani.

Petitioner's side exhibits:

- 1 Ex.P1 True copy of Aadhaar Card of Amutha.
- 2 Ex.P2 True copy of Family Card of Amutha.
- 3 Ex.P3 True copy of Aadhaar Card of minor Elamathi.
- 4 Ex.P4 True copy of Birth Certificate of minor Elamathi.
- 5 Ex.P5 Bonafide Certificate of minor Elamathi issued by Head Mistress, Oxford Nursery & Primary School, Adukkamparai.
- 6 Ex.P6 Photostat copy of Sub-Registrar's Office Certified copy of Sale deed, dated 01.07.2009 executed by one Shanthi to one Kandasamy.
- 7 Ex.P7 Photostat copy of Sub-Registrar's Office Certified copy of Gift Settlement deed, dated 10.09.2018 executed by one Kandasamy to minor Elamathi rep.by her mother as guardian.

- 8 Ex.P8 Photostat Online copy of Encumbrance Certificate.
- 9 Ex.P9 Photostat Online copy of Manaivari Patta No.1182.
- 10 Ex.P10 Sale Agreement, dated 23.03.2026.
- 11 Ex.P11 True copy of Aadhaar Card of Selvarani.

Principal District Judge,
Perambalur.

PDJ Court,
Perambalur.

Fair/Draft Order
G.W.O.P.No.24/2026
D.D: 01.07.2026.