

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,
PERAMBALUR DISTRICT, TAMIL NADU STATE.

Present: Thiru. V. Padmanabhan, M.A., M.L., D.H.,
Principal District Judge.

Tuesday, this the 24th day of March, 2026.

G.W.O.P No.23/2025
(Filing OP No.576/2025)
(CNR No.TNPB01-002845-2025)

(In the matter of appointing the petitioner as the guardian of minor son Manikandan (aged about 11 years and 9 months) and to sell the petition mentioned properties of the minor to the prospective purchaser namely Ezhumalai and his wife namely Suseela)

Balusamy, 40/25,
rep. by his minor son Manikandan
S/o. Kannusamy,
Vaithyanathapuram Post,
Andikurumbalur Village,
Kunnam Taluk,
Perambalur District.

... Petitioner.

-Vs-

Nil

... Respondent.

This petition is coming before me for final hearing on 11.03.2026 in the presence of Thiru.M.A.Chinnappa, counsel appearing for the petitioner and upon perusing the petition, documents and after hearing the arguments on petitioner's side and having stood over for consideration till this day, this Court has passed the following :-

ORDER

This petition has been filed by the petitioner under Section 8, 11 and 27 of Guardian & Wards Act to appoint the petitioner namely Balusamy as guardian for the person and properties of minor Manikandan and also to permit him to sell the petition mentioned properties of minor Manikandan to the prospective purchaser namely Ezhumalai and his wife namely Suseela.

2. The averments of the petition in brief are as follows:

The petitioner is the father of minor Manikandan. One Indhumathi is the wife of the petitioner. Out of their wedlock, minor Manikandan was born on 18.02.2014. The minor Manikandan, petitioner and his wife are living in one and the same roof. It is this petitioner who is providing food, shelter, clothing and other necessities needed for the minor. Now, the minor is studying in VIIth standard in Government Model Higher Sec. School at Kilumathur. The petition mentioned properties belongs to the minor. The minor's father purchased the said properties in the name of minor by a registered sale Deed, dated 04.08.2021 executed by one Anjalai and others representing him as a guardian for the minor.

Due to lack of rainfall, no income yield from the petition mentioned properties. The petitioner does not have sufficient income to meet out the minor son's education expenses, medical expenses and other expenses. So, he has decided to sell the petition mentioned properties. At this juncture, one Ezhumalai and his wife Suseela offered to purchase the petition mentioned properties. The petitioner has no adverse interest as that of minor. This petition is filed by the petitioner only in the interest and for the welfare of the

minor son Manikandan. There is no other competent person except the petitioner to act as guardian for the welfare of the minor. If this petition is not allowed, the interest of the minor Manikandan would be at peril. Hence, this petition.

3. After effecting paper publication as well as beating of tom tom, no objectors appeared to raise objection.

4. On the side of petitioner, Pw1 and Pw2 were examined and Ex.P1 to Ex.P7 were marked.

5. The point for consideration is :
Whether the petition has to be allowed or not?

Point :

6. The petitioner is the natural guardian of the minor Manikandan. The petitioner purchased the petition mentioned properties on 04.08.2021 through a sale deed in the name of minor Manikandan representing him as guardian.

7. The petitioner has filed this petition seeking permission to appoint him as guardian to the minor son namely Manikandan and to sell the petition mentioned properties on behalf of his minor son herein.

8. In order to prove the petition averments, the petitioner himself examined as Pw1 and through him Ex.P1 to Ex.P7 were marked. Ex.P1 is the birth certificate of minor Manikandan. The true copy of Aadhaar card of the petitioner as Ex.P2. The true copy of Aadhaar card of minor Manikandan as Ex.P3. Ex.P4 is the bonafide certificate of minor Manikandan. From perusal of Ex.P4, it is clear that now minor Manikandan is studying in VIIth Standard in

Govt. Model Higher Secondary School at Kilumathur. Ex.P5 is the Sale deed. From perusal of Ex.P5, it reveals that the petitioner purchased the petition mentioned properties in the name of minor Manikandan on 04.08.2021. Ex.P6 is the patta. Ex.P7 is the unregistered sale agreement. From perusal of Ex.P7, it clearly proves that the petitioner and one Ezhumalai and his wife Suseela entered into a sale agreement in respect of the petition mentioned properties on 13.09.2025. The total sale consideration was fixed at Rs.2,50,000/-. The petitioner received a sum of Rs.50,000/- as advance and the balance sale consideration is Rs.2,00,000/-. They have agreed to complete the sale transaction within 8 months from the date of sale agreement i.e. from 13.09.2025 to 12.05.2026.

9. A careful perusal of the petition, evidence and the documents exhibited on behalf of the petitioner shows that the petition mentioned properties belongs to the minor and the same was purchased by the petitioner in the name of minor by Ex.P5 registered sale deed. The minor is under the care and custody of his father namely the petitioner herein and he finds difficult to maintain the minor as he could not earn sufficient income through the petition mentioned properties and therefore, he wanted to sell the petition mentioned properties of the minor for the education and welfare of minor. Pw2 is the relative of the petitioner and he has stated that the petition may be allowed as prayed by Pw1. The evidence of Pw2 serves to strengthen the evidence of Pw1. Hence, this Court comes to a conclusion that the petitioner wants to sell the petition mentioned properties for the future education of the minor Manikandan is a bonafide one and it is for the welfare of the minor only.

10. The interest of the minor should be safeguarded since the Court is the custodian of the minor's properties. But the paramount interest and welfare of the minor should be taken into consideration by this Court. The petitioner has no adverse interest as that of minor. Hence, this Court is of the considered view that the petitioner shall be appointed as guardian for the minor and he is permitted to sell the petition mentioned properties to the prospective purchaser namely Ezhumalai S/o. Vemban and his wife namely Suseela, both are residing at No.641, Mariyamman Kovil Street, Velluvadi Village, Kariyanoor Majira, Veppanthattai Taluk, Perambalur District and to deposit the sale proceeds in any one of the Nationalized Bank and the petitioner is hereby ordered to receive the interest alone and is further directed to maintain proper accounts of the minor's properties and to produce the same as and when required by this Court and answered the point as such.

11. In the result, this petition is allowed and the petitioner is appointed as guardian for the minor Manikandan and permitted to sell the properties mentioned in the petition to one Ezhumalai S/o. Vemban and his wife namely Suseela, both are residing at No.641, Mariyamman Kovil Street, Velluvadi Village, Kariyanoor Majira, Veppanthattai Taluk, Perambalur District.

(i) that the balance sale consideration is ordered to be deposited in to this Court account which will be invested in a Nationalized bank till the minor attain majority. The petitioner is permitted to withdraw the interest once in three month directly from the bank and utilize the same for the education and welfare of the minor.

(ii) that the petitioner is directed to maintain proper accounts of the minor's properties and to produce the same as and when required by this Court. The petitioner is directed to produce the copy of the sale deed to this Court within 3 months from the date of this order otherwise this petition will be infructuous.

Directly dictated to the Executive Assistant and typed by her through computer, corrected and pronounced by me in open Court, this the 24th day of March, 2026.

Principal District Judge,
Perambalur.

ANNEXURE:

Petitioner's side witnesses:

- 1 Pw1 Mr. Balusamy.
- 2 Pw2 Mr. Subramani.

Petitioner's side exhibits:

- 1 Ex.P1 Birth Certificate of minor Manikandan.
- 2 Ex.P2 True copy of Aadhaar Card of the petitioner.
- 3 Ex.P3 True copy of Aadhaar Card of minor Manikandan.
- 4 Ex.P4 Bonafide Certificate of minor Manikandan.
- 5 Ex.P5 Sale Deed, Dated 04.08.2021.
- 6 Ex.P6 Online copy of Patta.
- 7 Ex.P7 Unregistered sale Agreement, dated 13.09.2025.

III. Respondent's side witness and documents:

- Nil -

Principal District Judge,
Perambalur.

PDJ Court,
Perambalur.

Fair/Draft Order
G.W.O.P.No.23/2025
D.D:24.03.2026.