

**In the Court of District Munsif, Mudukulathur**

**Present : Ms.J.C.Aparna, B.A, L.L.B.,**

**District Munsif,**

**Mudukulathur.**

**Wednesday the 08<sup>th</sup> day of October 2025**

**I.A.No.06/2025**

**in**

**O.S.No.10/2023**

Minor. Navaneedhakrishnan

( Rep. by his father and natural guardian  
namely R.Anandhanarayanan)

... Petitioner/ Plaintiff

*/VS/*

1. M. Nirmala Devi
2. Muthuramalingam
3. Sathishkumar

..... Respondents/Defendants

This petition came on 18.09.2025 before this court for final hearing in the presence of Thiru.S.Seeni, Learned Counsel for the Petitioner/Plaintiff, Thiru.M.Dharmar, Learned Counsel for the Respondents/Defendants and upon hearing both sides enquiry and upon perusing the material records and having stood over till this day for consideration, this court delivered the following:

### **ORDER**

This petition has been filed under Order 32 Rule 5 and Sec 151 of Civil Procedure Code to appoint the mother of the minor plaintiff as natural guardian.

### **2. Brief averments of the Petitioner/Plaintiff in brief:-**

The petitioner is the father of the plaintiff and he has filed this present petition as a natural guardian of the plaintiff. Since the petitioner is residing in

Singapore for work, he is unable to appear before the court for hearings, hence prays to appoint his wife and the mother of the plaintiff as the natural guardian for the benefit of the minor plaintiff, hence prays to allow petition.

### **3. Brief averments of the Respondents/Defendants in brief:**

The respondent denies the averments in the petition. Initially, the father was appointed as the natural guardian for the minor plaintiff, after filing a series of applications through other persons to which the respondents have objected, now this petition is filed to appoint the mother of the plaintiff as his guardian. The details of the mother of the plaintiff is not mentioned in the petition. This petition is only filed to drag on the proceedings. Hence prays to dismiss the petition.

### **4. Point for consideration:-**

Whether the petition be allowed and the relief be granted as prayed for?

No documents filed on either side. Heard both sides.

### **5. Answer to the Point:-**

5.1. The petitioner who is the father and natural guardian of the plaintiff has filed this petition to appoint his wife and the plaintiff's mother as the legal guardian to represent the minor plaintiff in the suit, since he is residing abroad for his work and is unable to appear before the court for hearings. On the other hand, the respondent denies the petition by stating that this petition is only filed after a series of objections from his side. It is well settled law that the mother is also a natural guardian and the only thing that should be taken into consideration is the benefit of the minor. In the present case, the father who was initially the natural guardian for the minor plaintiff is residing abroad and cannot be present for each and every hearing. The reason stated is satisfactory as it is important that the minor plaintiff is to be represented so that his interests can be protected.

5.2. In the light of the above discussions, this petition is allowed and the petitioner is directed to file APC on or before 16.10.2025, failing which this petition shall stand dismissed. No orders to cost.

6. In the result, this petition is allowed and failure to comply with conditions mentioned in the order, the petition shall automatically stand dismissed.

Directly typed by me in my official laptop and formatted by Steno Typist, corrected and pronounced by me in open court on this 08<sup>th</sup> day of October 2025.

**District Munsif,  
Mudukulathur.**

**Both sides witnesses and documents : Nil**

**District Munsif,  
Mudukulathur.**