

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE AT TIRUVALLUR**

**Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)**

Principal District Judge, Tiruvallur

**Monday, the 20<sup>th</sup> day of April, 2026**

**H.M.G.O.P. No.353/2025**

(CNR No TNTR010063542025)

**In the matter of minors**

- 1. S. JUDITHA**  
**(Born on 22.08.2010)**
- 2. S. HANSHITA**  
**(Born on 28.09.2013)**

S. Thenmozhi,  
W/o late. Sathishkumar

...Petitioner

/vs/

NIL

....Respondent

This petition coming on 02.04.2026 for final hearing before me in the presence of M/s A. Sampathkumar, S. Saravanan, N. Sharmila, learned Counsel for the petitioner and in spite of notice being issued under various modes, no objectors were present and upon perusing the records and having stood over for consideration till this day, this court delivered the following:-

**ORDER**

This Petition is filed by the petitioner u/s 8(2)(a) of the Hindu Minority and Guardianship Act, 1956 prays to permit the petitioner to sell the undivided share of minors (1) S. Juditha (born on 22.08.2010) and (2) S. Hanshita (Born on 28.09.2013) in the petition schedule property and to deposit the share value of the minors, Rs.10,00,000/- each in the name of minors in a nationalized Bank and to draw the

interest periodically for the maintenance and welfare of the minor children till they attain majority.

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

According to the petitioner, the petition schedule property originally belonged to one M. Shreenivas who sold the same to one Asaithambi under a registered sale deed dated 21.11.2013 under Doc.No.15929/2013. The petitioner's husband Sathishkumar, purchased the petition schedule property under a registered sale deed dated 27.10.2017 under Document No.15023/2017 and he was in possession and enjoyment of the same till his death. The patta No.4304 in New S.No.221/2024 also stands in the name of petitioner's husband. The petitioner's husband Sathishkumar died on 20.08.2024 leaving the petitioner and his two minor daughters S. Juditha and S. Hanshita as his legal heirs. Thus, after the death of her husband, the petitioner in order to meet the education and other expenses of her minor daughter decided to sell the petitions schedule property including the  $\frac{2}{3}$ <sup>rd</sup> share of her minor daughters and accordingly, she entered into a sale agreement with one P. Suyamburaj, S/o Ponmuthu of Tiruvallur agreeing to sell the same for a sale consideration of Rs. 30,00,000/- and received advance of Rs.2,50,000/- and the balance to be paid at the time of registration of the sale deed. The share value of each minor daughter of the petitioner is Rs.10,00,000/- and the petitioner is ready to deposit the value of share of her minor daughters in a nationalized bank to the credit of the minor wards till they attain majority. The proposed sale is only for the welfare of the minor daughters of

the petitioner., Hence, this petition seeking permission to sell the share of minor wards in the petition schedule and for depositing the same in the name of the minor wards.

3. The petition was taken on file and the general notice about the petition was widely informed to the public through court notice board, beat of *tom tom* and paper publication made in one issue of Tamil Daily. There was no objectors.

4. The petitioner was examined as PW1 and the intending purchaser P. Suyamburaj as PW2 and marked Ex.P1 to Ex.P17.

**5. The points for consideration is**

- 1. Whether the petitioner shall be permitted to sell the share of her minor children, S. Juditha and S. Hanshita in the petition schedule mentioned property on behalf of the minor wards as prayed for ?**
- 2. Whether this Original Petition is to be allowed ?**

**6. POINTS :-**

Heard petitioner. Perused the records.

This Petition is filed by the petitioner under section 8(2) (a) of the Hindu Minority and Guardianship Act prays seeking permission to sell the share of her minor children S. Juditha and S. Hanshita in the petition schedule property on behalf of her minor children and to deposit their share value in the name of the minor

wards. Till they attain majority

7. The petitioner in order to substantiate her case has examined herself as PW1. She is the mother of her minor children, S. Juditha and S. Hanshita . The petition schedule property was purchased by petitioner's husband Sathishkumar under a registered sale deed dated 27.10.2017 vide Document No. 15023/2017 , which is evident from **Ex.P1**, certified copy of the sale deed dated 27.10.2017. Patta for the petitions schedule property stands in the name of Sathishkumar under Patta No.4204, it is evident form **Ex.P2** patta. He was in possession and enjoyment of the same which is evident from House tax receipts, **Ex.P3** and **Ex.P4** and Electricity consumption card , **Ex.P5**. While so, the petitioner's husband died on 20.08.2024 leaving the petitioner and his two minor daughters S. Juditha and S. Hanshita as his legal heirs, it is evident from his death certificate, **Ex.P7** and Legal heir certificate, **Ex.P8**. As such, after the death of her husband, the petitioner and her two daughters are each entitled to each 1/3 share in the petitions schedule property . The two daughters of the petitioners S. Juditha and S. Hanshita are minors and their birth certificate and copies of aadhar cards are marked as **Ex.P9** , **Ex.P10** and **Ex.P11** , **Ex.P12** respectively. Copy of the bank passbook of petitioner in SBI, Paruthipattu is Ex.P13. The guideline value and encumbrance certificate in respect of the petition schedule property are **Ex.P14** and **Ex.P16** respectively. Copy of the aadhar card of petitioner is **Ex.P15**.

8. It is the further case of the petitioner that after the death of her husband,

the petitioner is finding it difficult to meet out the education and other expenses of her minor daughters and as such, the petitioner decided to the sell the petition schedule property including the  $\frac{2}{3}^{\text{rd}}$  share of her two children. After the death of her husband, in order to meet the education and other expenses of her minor daughter, the petitioner decided to sell the petitions schedule property and accordingly, she entered into a sale agreement on 22.07.2025 with one P. Suyamburaj, S/o Ponmuthu of Tiruvallur agreeing to sell the same for a sale consideration of Rs. 30,00,000/- and received advance of Rs.2,50,000/-, which is evident from the unregistered sale agreement , **Ex.P6** and evidence of PW2 and intending purchaser. Selling the petition schedule property for a total sale consideration of Rs.30,00,000/- is beneficial, which is evident from its guideline value, **Ex.P14**. The share value of each minor ward is Rs.10,00,000/- and  $\frac{2}{3}^{\text{rd}}$  share is Rs.20,00,000/-, which the petitioner is ready to deposit in the name of the minor wards.

9. The reason deposed by the petitioner for selling the  $\frac{2}{3}^{\text{rd}}$  share of minor children in the petition schedule property is for the expenses for her minor children appears as only in the interest of the minor wards, she intended to sell the petition schedule property including the  $\frac{2}{3}^{\text{rd}}$  share on behalf of the minor wards.

10. The petitioner is the mother of her minor children S. Juditha and S. Hanshita. The petitioner seeks permission for selling the  $\frac{2}{4}^{\text{th}}$  share of the minor wards in the petition schedule property. It is also proved from evidence of PW1 and **Ex.P9** and **Ex.P11**, birth certificates of children S. Juditha and S. Hanshita that

they are minors.

11. Considering the fact that minors are under the care and custody of the petitioner and the fact that the petitioner, being mother now intends to sell the  $2/3^{\text{rd}}$  share of the minor wards in the petition schedule property is only to safeguard the interests of her minor children S. Juditha and S. Hanshita, this court concludes that petitioner can be permitted to sell the  $2/3^{\text{rd}}$  share of minor wards in the petition schedule property in favour of the prospective purchasers with condition of depositing the  $2/3^{\text{rd}}$  share amount of the minor wards in the total sale proceeds in favour of the minor wards. These points answered accordingly in favour of the petitioner.

**In the result, the petitioner, Mrs. S. Thenmozhi, W/o late. Sathishkumar , the mother of the minor wards namely, S. Juditha (born on 22.08.2010) and S. Hanshita (born on 28.09.2013) is permitted to sell  $2/3^{\text{rd}}$  share of the minor wards in the petition schedule property on behalf of the minor wards. The total sale consideration shall not be less than the market value. The petitioner shall deposit the value of  $2/3^{\text{rd}}$  share of the minor wards in the total sale consideration of schedule property before this court along with registration copy of sale deed within two months from the date of completion of sale, for investing the  $2/3^{\text{rd}}$  share of the minor wards each having  $1/3^{\text{rd}}$  share in any one of the nationalized bank, till the minor wards attain majority. The petitioner, mother of the minor wards shall draw accrued interest on the deposit amount once in three months**

**from the bank directly and utilize the same for the benefit, interest and welfare of the minor wards. The petitioner is directed to submit the accounts once in every six months before this court till the minor wards attain majority.**

**Accordingly, the petition is allowed under section 8(2)(a) & (5) of the Hindu Minority and Guardianship Act 1956.**

Dictated to steno-typist, transcribed by him , corrected and pronounced by me in open court, this the 20<sup>th</sup> day of April , 2026

**PRINCIPAL DISTRICT JUDGE,  
TIRUVALLUR**

**Petitioners side witnesses:-**

PW.1 - Mrs. S. Thenmozhi  
P.W.2- Mr. P. Suyamburaj

**Petitioner's side Exhibits:-**

Ex.P1	27.10.2017	Certified copy of the sale deed vide Document No. 15023/2017 in the name of S. Sathishkumar (Compared with original)
Ex.P2	24.05.2018	Patta No.4204 in respect of petition schedule property in the name of Sathishkumar
Ex.P3		House tax receipt
Ex.P4		House tax receipt
Ex.P5		Electricity Consumption Card in the name of sathishkumar
Ex.P6	22.07.2025	Unregistered sale agreement entered between the petitioner and P. Suyamburaj
Ex.P7	06.09.2024	Death certificate of Sathishkumar
Ex.P8	23.09.2024	Legal Heir certificate of Sathishkumar

Ex.P9	06.10.2010	Birth certificate of minor S. Juditha
Ex.P10		Copy of aadhar card of minor S. Juditha (compared with original)
Ex.P11	22.10.2013	Birth certificate of minor S. Hanshita
Ex.P12		Copy of aadhar card of minor S. Hanshita (compared with original)
Ex.P13		Copy of the bank passbook of petitioner in State Bank of India, Paruthipattu Branch (compared with original)
Ex.P14		Guideline value and encumbrance certificate in respect of the petition schedule property
Ex.P15		Copy of the aadhar card of petitioner S. Thenmozhi (compared with original)
Ex.P16		Encumbrance certificate in respect of the petition schedule property
Ex.P17		Copy of the aadhar card of PW2 P. Suyamburaj (compared with original)

**PRINCIPAL DISTRICT JUDGE,  
TIRUVALLUR**