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OP No. 539 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

OP No. 539 of 2025

N. Padmapriya
W/o. Ramkumar,
Residing at B1,
Delli Villa Sai Villa Sai Nat Foundation,
Sri Ambal Nagar Extension,
Pallikaranai, Chennai

..Petitioner(s)

Vs

No Respondent
Nil

..Respondent(s)

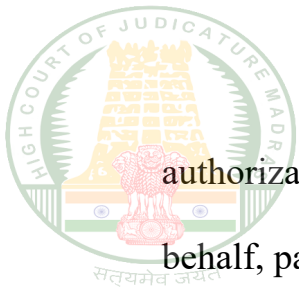
PRAYER – Original Petition filed under Clause XVII of the Letters Patent of 1865, to a) appoint Mrs.N.Padmapriya, W/o. Ramkumar, the Petitioner herein who is the younger sister of N.Jayapoornima, as the legal guardian of the person and manager of the properties of the intellectual disability person N.Jayapoornima and to b) take legal decisions on behalf of the intellectual disability person N.Jayapoornima and manage all financial transaction on behalf of N.Jayapoornima, especially receiving the pension benefits.

For Petitioner(s):

Mr.R.Jayaram

ORDER

This Original Petition has been filed by the petitioner seeking to be appointed as the legal guardian of the person and manager of the property of the person with intellectual disability, N.Jayapoornima. The petitioner further seeks



authorization to take legal decisions and manage all financial transactions on her behalf, particularly for the receipt of pension benefits.

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2. The case of the petitioner is that she is the younger sister of Selvi. N.Jayapoornima, who has been suffering from a moderate intellectual disability since childhood. Their parents, namely Mr. Nandakumar (who retired as a Tech-I Engineer from the Southern Railway Engineering Workshop, Arakkonam) and Mrs. Umadevi (a homemaker), passed away on 19.04.2024 and 21.08.2022, respectively. During his lifetime, the petitioner's father drew a pension from the Southern Railway under Old Pension Payment Order (PPO) No. 0614222082 dated 30.04.2012, which was subsequently converted into New PPO No. 210127061400007. Until their demise, the parents took care of the petitioner's elder sister, Selvi. N.Jayapoornima. Hence, the petitioner's mother and elder sister Jayapoornima were in the list of dependant family members in the above order.

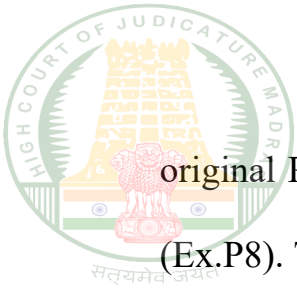
3. The elder sister was examined by the Unique Disability Identity Card (UDID) Issuing Authority, Ranipet, which issued a Disability Certificate dated 01.08.2023, certifying that she is a person with a moderate intellectual disability, suffering from a 60% permanent disability in relation to the brain. Following the demise of their parents, Selvi. Jayapoornima has been under the care and custody of the petitioner and the petitioner's mother-in-law. It is stated



that Selvi. Jayapoornima was availing a monthly family pension of Rs. 29,753/- as on 25.04.2024. According to the petitioner, a sum of Rs. 40,000/- to Rs. 50,000/- is required per month to meet the medical expenses, medication, bills, caregiving costs, and other miscellaneous expenses of the ward.

4. The petitioner further submits that she has opened a joint savings account, bearing Account No. 43422510821, on 08.10.2024 at the State Bank of India, Arakkonam Branch, in her name along with that of her elder sister. When the petitioner approached the Southern Railway authorities for the disbursement of the family pension in favour of Selvi. NJayapoornima, she was directed to furnish a valid Guardianship Certificate or an order issued by a competent court to process and disburse the same. Since the ward resides within the territorial jurisdiction of this Court, the petitioner has approached this Court by way of the present petition seeking appointment as her legal guardian and manager of her property. In support of her case, the petitioner examined herself as P.W.1 and marked 17 documents as Exs.P1 to P17.

5. A perusal of the exhibits reveals that the relationship between the parties and the tragic demise of their parents, namely Mr. E. Nandakumar and Mrs. Umadevi, stand conclusively proved by the computer-generated Death Certificates (Ex.P3 and Ex.P5) and the Legal Heirship Certificate (Ex.P7). The financial interest and entitlements of the ward are demonstrated through the



original Pension Payment Order (Ex.P17) and the joint bank account passbook (Ex.P8). The material core of this petition, the intellectual disability of the ward,

Selvi. Jayapoornima, is established through her Disability Certificate (Ex.P10), Unique Disability ID Card (Ex.P11), and Medical Record Notebook (Ex.P12). These official medical records explicitly certify that she is a person with a moderate intellectual disability, suffering from a 60% permanent disability in relation to the brain.

6. Furthermore, despite paper publications having been duly effected in the Tamil daily “*Makkal Kural*” and the English daily “*Trinity Mirror*” (Ex.P15), no objector has come forward to oppose the grant of guardianship.

7. Considering the oral and documentary evidence of P.W.1, which establishes that the ward is incapable of managing her own person or property, this Court is fully satisfied that it is in the best interest and welfare of the ward to appoint the petitioner as her guardian.

8. Accordingly, this Original Petition is allowed on the following terms:

(i) The petitioner, **N.Padmapriya**, is hereby appointed as the legal guardian of the person and manager of the property of the person with intellectual disability, **Selvi. N. Jayapoornima**, in exercise of the jurisdiction of this Court under Clause 17 of the Letters Patent, 1865.



(ii) The petitioner is permitted to receive, on behalf of Selvi.N.Jayapoornima, the family pension payable in respect of the late Nandakumar, and to cooperate the bank account of Selvi. N. Jayapoornima, with the State Bank of India, Arakkonam, Branch, in which the said pension in credited. The pension disbursing authority and the said Bank shall, on production of a copy of this order, permit the petitioner to so receive and operate the same.

(iii) The petitioner shall utilize the fetched pension funds exclusively towards the monthly maintenance, medical treatment, caregiving costs, and overall well-being of the ward.

(iv) The petitioner shall file before the Registry of this Court a true account of her management once in every year.

(v) This appointment shall ensure during the period of the disability of Selvi.N.Jayapoornima and shall stand subject to the supervision of this Court. It shall cease upon her regaining capacity, or upon her death, or upon further orders of this Court; and any person interested shall be at liberty to apply for variation or revocation.

(v) However, there shall be no order as to costs.

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**List of witnesses examined on the side of the petitioner:**

P.W.1 – Mrs.N.Padmapriya

List of documents marked on the side of the petitioner:

Ex.P1	photocopy of the pensioner's identity card of Mr.E.Nanda Kumar (compared with the original).
Ex.P2	photocopy of the family identity card of Mr.E.Nanda Kumar bearing No.026910 issued by Ministry of Railways (compared with the original).
Ex.P3	computer generated death certificate of Mrs.Umadevi.
Ex.P4	photocopy of the medical identity card under retired railway employees liberalised health scheme along with railway pass (compared with the original).
Ex.P5	computer generated death certificate of Mr.Nandakumar.E.
Ex.P6	downloaded copy of the statement of account of Mr.Nandakumar.E and Mrs.Umadevi.K issued by State Bank of India for the period from 01.10.2023 to 19.10.2024
Ex.P7	computer generated legal heirship certificate of Mr.Nandakumar.E.
Ex.P8	photocopy of the joint bank account pass book standing in the name of Jayapoornima Nandakumar (compared with the original).
Ex.P9	photocopy of the medical card issued in favour of Jayapoornima Nandakumar (compared with the original).
Ex.P10	photocopy of the Disability certificate of Ms. Jayapoornima Nandakumar (compared with the original).
Ex.P11	photocopy of the unique disability ID card of Miss. Jayapoornima (compared with the original).
Ex.P12	photocopy of the medical record note book of Miss. Jayapoornima (compared with the original).
Ex.P13	photocopy of the Aadhaar Card of Miss.Jayapoornima Nandakumar (compared with the original).
Ex.P14	photocopy of the petitioner's Aadhaar card (compared with the



	original).
Ex.P15	(series 2 Nos.) are the copies of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 20.11.2025 and in one issue of English daily “Trinity Mirror” dated 20.11.2025.
Ex.P16	certificate under Section 63(4)(c) of BSA.
Ex.P17	original pension payment order bearing No.0614222082 standing in the name of E.Nanda Kumar as Ex.P17.

List of Witnesses examined on the side of the respondent: Nil

List of Documents marked on the side of the respondent: Nil

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