

O.P.No.619 of 2014**K.KALYANASUNDARAM, J.**

This Petition has been filed under Sections 218 and 278 of the Indian Succession Act read with Order XXV Rule 5 of the High Court Original Side Rules, seeking the grant of Letters of Administration.

3.In the petition, it is stated that S.K.Venkataraman died on 30.04.2014 at IHC Hospital, Chennai and was ordinarily residing at No.6/371, 15th Street, Korattur, Chennai-600 080. The deceased was the uncle of the petitioners. The petitioners state that the deceased had three sisters. All the siblings of the deceased predeceased him. Out of the three sisters, only one sister had lineage and the petitioners are the only living next of kin of the deceased. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The said deceased at the time of his death left the petitioners as his only next of kin. The first petitioner and the second petitioners are the niece in law of the deceased, the third petitioner is the niece of the deceased. The said deceased had no other issues. His wife Kapila Bhai predeceased him in the year 2007, dated 14.03.2007. The deceased's mother predeceased him. The amount of the assets which are likely to come to the petitioners' hands do not

exceed in the aggregate the sum of Rs.33,61,835.17/- and the net amount of the said assets, after deducting all items which the petitioners are by law allowed to deduct, is only of the value of Rs.33,41,835.17/-. The petitioners undertake to duly administer the property and credits of the deceased S.K.Venkataraman and to make a full and true inventory thereof and exhibit the same to the Court within six months from the date of grant of Letters of Administration to the petitioners and also render a true account of the said property and credits within one year from the said date. No application has been filed in any other Court for Letters of Administration.

4.The first petitioner was examined as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P17.

Ex.P1 is the photocopy of the sale deed dated 08.02.1991 in favour of S.K.Venkataraman registered as Doc.No.536 of 1991 at SRO, Anna Nagar.

Ex.P2 is the computer generated death certificate of the deceased S.K.Venkataraman, who died on 30.04.2014.

Ex.P3 is the photocopy of the death certificate of R.Sakunthala

Bai, who died on 23.04.1998.

Ex.P4 is the photocopy of death certificate of P.S.Nagarajan, who died on 11.07.2000.

Ex.P5 is the photocopy of death certificate of V.Kabila Bai, wife of the deceased S.K.Venkataraman, who died on 14.03.2007.

Ex.P6 is the photocopy of death certificate of her husband R.S.Ragothaman, who died on 22.09.2009.

Ex.P7 is the photocopy of death certificate of K.Ramani, who died on 14.05.2011.

Ex.P8 (Series 7 Nos.) are the photocopies of fixed deposits and share certificates in Tamil Nadu State Co-operative Bank Limited, Canarak Bank, Indian Bank, Sriman Madhwa Sidhantaonnahini Permanent Nidhi Limited.

Ex.P9 (series 3 Nos.) are the photocopies of Savings Bank Passbook in TNSC Bank, Uco Bank, The Sriman Madhwa Sidhantaonnahini Permanent Nidhi Limited.

Ex.P10 is the copy of Genealogy Chart in respect of deceased S.K.Venkataraman

Ex.P11 is the original Power of Attorney given by the second

petitioner in her favour, dated 19.06.2014.

Ex.P12 is the original Power of Attorney given by the third petitioner in her favour, dated 19.06.2014.

Ex.P13 is the consent affidavit given by the second petitioner stating that she has no objection in grant of succession certificate in her favour.

Ex.P14 is the consent affidavit given by the third petitioner stating that she has no objection in grant of succession certificate in her favour.

Ex.P15 is the affidavit of assets showing the net value of the estate as Rs.33,41,835.17.

Ex.P16 is the one copy of paper publication effected in one issue of English Daily "Makkal Kural" dated 18.03.2016.

Ex.P17 is the one copy of paper publication effected in one issue of English Daily "Trinty Mirror" dated 24.03.2016.

5.Considering the averments made in the petition and on perusing the materials available on record, I am satisfied that the petitioners are entitled to the issuance of Letters of Administration.

6. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners are also directed to execute a security bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras. The petitioners are further directed to render true and correct accounts once in a year.

18.01.2017

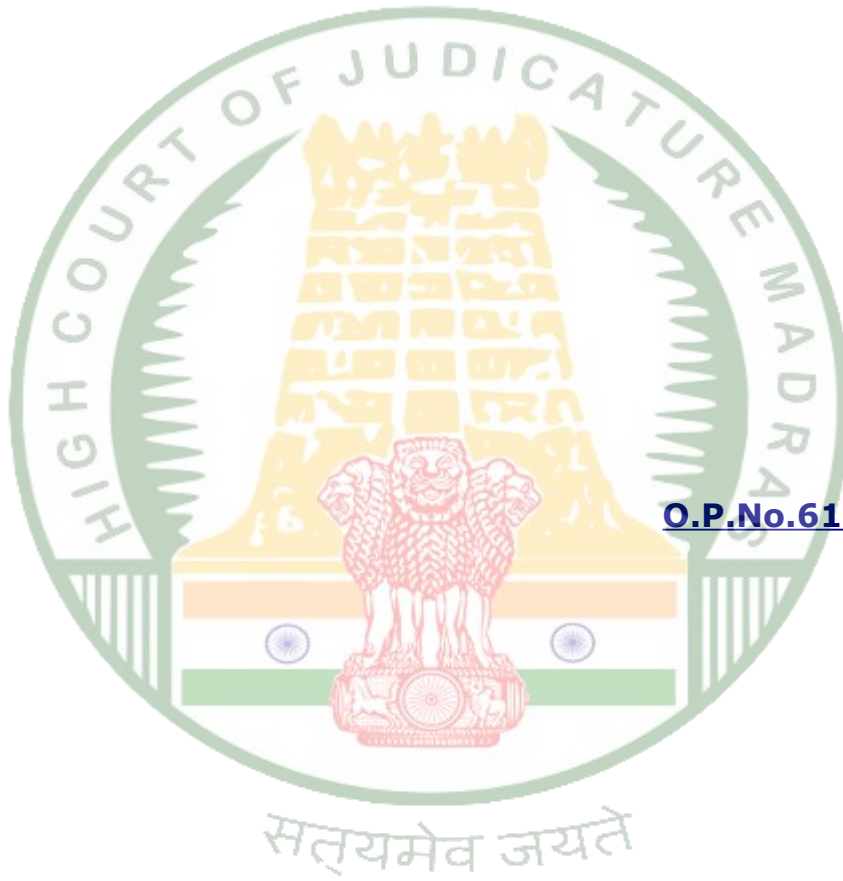
r n s



WEB COPY

K.KALYANASUNDARAM, J.

r n s



O.P.No.619 of 2014

WEB COPY

18.01.2017