

O.P.No.75 of 2013

K.K.SASIDHARAN, J.

This is an original petition filed under Sections 232 and 276 of the Indian Succession Act for the grant of Letters of Administration.

2. The petitioner is the son of N.K.Balakrishnan, who died intestate on 23.05.1976 at Chennai. The first respondent is the wife of Thiru.N.K.Balakrishnan. The second respondent is the daughter born to N.K.Balakrishnan in his lawful wedlock with the first respondent.

3. The petitioner and the respondents are the Class-I heirs of the deceased. The property owned by the deceased is shown in the schedule to the original petition. Since the deceased died intestate, the petitioner has come up with this original petition for letters of administration.

4. The petitioner was examined as P.W.1. The following documents were marked through him:-

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of N.K.Balakrishnan, who died on 23.05.1976

<i>Exhibits</i>	<i>Documents</i>
Ex.P2	Consent affidavit given by the first respondent stating that she has no objection in grant of letters of administration in favour of the petitioner
Ex.P3	Consent affidavit given by the second respondent stating that she has no objection in grant of letters of administration in favour of the petitioner
Ex.P4	Affidavit of assets showing the net value of the estate for Rs.32,20,550/-
Ex.P5	Paper Publication effected in English Daily "News Today" dated 31.03.2015
Ex.P6	Paper Publication effected in Tamil Daily "Malai Sudar" dated 21.03.2015
Ex.P7	Photocopy of Sale Deed dated 09.06.1975 in favour of the deceased N.K.Balakrishnan

5. The respondents have given consent indicating no objection for the grant of letters of administration in favour of the petitioner. The petitioner has taken publication in "Malai Sudar" on 21.03.2015. So far no objection has been received from any one.

6. In view of the documents exhibited on the side of the petitioner and the consent affidavits given by the respondents, I am satisfied that the petitioner is entitled to the grant of letters of administration.

7. There shall be an order to issue Letters of Administration with the Will annexed in favour of the petitioner. The petitioner is directed to execute a bond for a sum of Rs.25,000/- in favour of Assistant Registrar OS-II, High Court, Madras - 600 104.

In the upshot, I allow the Original Petition.

29.01.2016

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