

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY & INTESTATE JURISDICTION)

FRIDAY, THE 22ND DAY OF SEPTEMBER 2017

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

A.NOS.5551 and 5552 of 2017

in

O.P.No.357 OF 2012

In the matter of Indian
Succession Act XXXIX of 1925
and

In the matter of certified
copy of the Last Will and
Testament of S.P.Venkatarama
Iyer (deceased)

1.Saroja Swaminathan,
W/o.late V.Swaminathan
residing at 21, Govindu Street,
T.Nagar, Chennai 600 017.

2.S.Srikrishna,
W/o.late V.Swaminathan
residing at 21, Govindu Street,
T.Nagar, Chennai 600 017.

...Applicants/ Petitioners
(A.NOS.5551 & 5552 OF 2017
IN O.P.357 OF 2012)

VS

1.R.Saraswathi,
W/o.Ramamurthy,
residing at Fl, Balakrishna Ruby Apartments, 1st floor,
Door No.16B, Krishna Nagar I Cross Street,
Chrompet,
Chennai 600 064.

2.G.Sivakama Sundari,
W/o.Gopalakrishnan,
residing at C3, Pugal Apartments,
KM Enclave, Palaniappa Nagar,
Salem 636 007.

3.G.Kamala @ Kalavani
W/o.Ganesh,
residing at Thiruvonam Apartments,
7/11, Srinivasa Road, Nehru Nagar,
Chrompet, Chennai 600 064.

4.G.Baghyam,
W/o.V.ganapathy Subramanian,
residing at 814A,
Ammapettai Agraharam,
Vallampadukai Post,
Chidambaram 608 401.

5.G.Srinivasan,
S/o.V.ganapathy Subramanian,
residing at 814A,
Ammapettai Agraharam,
Vallampadukai Post,
Chidambaram 608 401.

6.G.Gayathiri,
D/oV.ganapathy Subramanian,
residing at 814A,
Ammapettai Agraharam,
Vallampadukai Post,
Chidambaram 608 401.

...Respondents/Respondents
(A.NOS.5551 & 5552 OF 2017
IN O.P.357 OF 2012)

A.NO.5551 OF 2017:

Application praying that this Hon'ble Court be pleased to condone the delay of 642 days in filling the full and true inventory within the six months from the date of issuance of certificate of Letters of Administration dated 18.12.2013 in the above O.P.No.357 of 2012.

A.NO.5552 OF 2017:

Application praying that this Hon'ble Court be pleased to condone the delay of 489 days in filling the true accounts of the property and credits within one year from the date of issuance of certificate of Letters of Administration dated 18.12.2013 in the above O.P.No.357 of 2012.

This Application coming on this day before this court for hearing the court made the following order:

A.No.5551 of 2017 has been filed to condone the delay of 642 days in filing the full and true inventory within

six months from the date of issuance of certificate of letters of administration dated 18.12.2013 in the above O.P.No.357 of 2012.

2. A.No.5552 of 2017 has been filed to condone the delay of 489 days in filing the true accounts and credits of the property within one year from the date of issuance of certificate of letters of administration dated 18.12.2013 in the above O.P.No.357 of 2012.

3. It is stated in the affidavit, that the applicant is aged person and was of the impression that once she obtained the Certificate of Letters of Administration, the entire process and formalities were completed and she had not been informed about the filing of inventory and true accounts within six months and one year after issuance of certificate of Letters of Administration. She could not comply with the conditions, which are mandatory after issuance of the certificate of letters of Administration. The non-filing of true inventory and accounts is not willful nor wanton, but only due to the reasons stated above. In view of the said averments both applications are allowed and the delay is condoned.

Sd/-C.V.K.j

22.09.2017

//Certified to be a true copy//

Dated this the th day of 2017.

EM/03.10.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.