

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

DATED, THE 02ND DAY OF APRIL 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.802 of 2015

In the matter of the Indian
Succession Act, 1925 (Act
XXIX) of 1925
and

In the matter of estate
of G.Beemajayasekaran(died)
intestate

1.R.Pushpa Baby,
F65/2014,
W/o. Late Rajeswaramani,
Church Street,
Puthalm Village and Post,
Kanyakumari District
Pin 629 602

2.V.Elizabeth,
F57/2014
W/o. Late G.Vijayathanapal,
Sharon Illam,
No.5, Govindaraj Street,
Sholinganallur Post,
Chennai 600 119

3. G.Maria Pushpam,
F/64/2014,
No.4, 3rd Street,
Ayyappa Nagar,
Pammal, Chennai 600 075

4.G.Monickarasai,
F/62/2014
W/o.G.Ramachandran
No.419, C Malar Colony,
West Anna Nagar,
Chennai 600 040

5.G.Kalarani,
F/59/2014
W/o.K.Kaliyamurthy
No.40, Singaravelar Salai,
Karaikal Pondicherry State
Pin 609 602

6.G.Inbam,
F57/2014
W/o.Y.Balasundaram,
No.3, 2nd Street,
Swaminathan Nagar,
Pammal, Chennai 600075

...Petitioners

Original Petition praying that this Hon'ble Court be pleased to grant Letters of Administration/without Will to the petitioners for the estate of the deceased being administered and allowed to be shared to the person entitled for the property subject to such conditions as this Honble Court may be pleased to fix in the facts and circumstances of this case.

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

While deciding the A.No. 4342 of 2016 seeking transfer of the suit in O.S.No. 9 of 2016 on the file of the learned I Additional District Judge, Chengalpattu to this Court to be tried along with O.P.No. 802 of 2015. I have concluded that this Court does not have jurisdiction to entertain the original petition, since all the immovable properties are

situated within the jurisdiction of the Court at Chengalpattu. Registry was directed to de-number the O.P.No. 802 of 2015 and return the papers to the counsel for the petitioners to enable him to represent the same before the appropriate Court.

2. Mr.R.Loganathan, learned counsel appearing for the petitioner would submit that the original petition has been numbered and succession duty has also been paid. Hence, registry expresses certain difficulties in returning the papers. The fact that the succession duty has been paid cannot prevent this Court from deciding on the jurisdiction. Hence, earlier direction to de-number the original petition and return the same to the counsel for the petition is sustained. It is made clear that whatever the duty that has been paid to the credit of original petition will be adjusted to the duty payable at the appropriate Court where its represented.

Sd/.R.S.M.J

02.04.2019

//Certified to be a true copy//
Dated this the day of 2019.

R.s/25.06.2019

COURT OFFICER

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