

O.P.No.527 of 2019

K.KALYANASUNDARAM, J.

This petition has been filed under Sections 218 and 278 of the Indian Succession Act r/w Order XXV Rule 5 of O.S. Rules for grant of Letters of Administration of the schedule mentioned properties of the deceased G.Bapu @ Dhanalakshmi.

2. In the petition, it is stated that the deceased G.Bapu @ Dhanalakshmi ordinarily resided at No.19/F2, Senthil Nagar, 14th Street, Kolathur, Chennai - 600 099 and died on 06.10.2018. The deceased died intestate and that due and diligent search has been made for a Will but none has been found. The petitioners are the brothers and sisters of the deceased, who claim to be entitled to a share of the deceased. The amount of assets which is likely to come into the hands of the petitioners does not exceed in the aggregate sum of Rs.68,67,606/- and the net amount of the said assets, after deducting all items which the petitioners is by law allowed to deduct is of the value of Rs.68,67,606/-.

3.The petitioners undertakes to duly administer the property and credits of the deceased and to make a full and true inventory thereof and exhibit the same in this Court within six months from the date of grant of Letters of Administration in respect of her estate annexed to the petitioners and also to render to this Court a true and proper account of the said properties and credits within one year from the said date. No application has been made to any District Court or delegate or to any other High Court for the probate of any Will of the deceased or Letters of Administration with or without the Will.

4. The 8th petitioner examined himself as P.W.1 and deposed evidence on behalf of the other petitioners and marked the following documents viz., Exs.P1 to P21:

i) Ex.P1 is the photocopy of the SSLC certificate in respect of his sister G.Bapu.

ii) Ex.P2 is the photocopy of the death certificate of his father Mr.R.S.Govindasamy, who died on 12.07.1989.

iii) Ex.P3 is the photocopy of the death certificate of his mother G.Pankajam, who died on 13.09.1989.

iv) Ex.P4 is the photocopy of the LIC policy bond in the name of his sister G.Bapu bearing policy No.716161931.

v) Ex.P5 is the photocopy of the death certificate of his elder brother Mr.G.Rathina Velu, who died on 09.05.2006.

vi) Ex.P6 is the photocopy of the legal heirship certificate dated 29.06.2006 in respect of his elder brother G.Rathina Velu.

vii) Ex.P7 is the computer generated death certificate of his brother-in-law Mr.Swaminathan (His sister Bapu's husband), who died on 23.12.2009.

viii) Ex.P8 is the photocopy of the legal heirship certificate dated 09.03.2010 in respect of his brother-in-law Mr.S.Swaminathan.

ix) Ex.P9 is the photocopy of the letter dated 05.04.2010 written by his sister G.Bapu to the Assistant Provident Fund Commissioner.

x) Ex.P10 is the photocopy of the Sale Deed dated 13.12.2012 in favour of Mrs.G.Bapu, registered as Doc.No.3654 of 2012 at SRO, Sembium.

xi) Ex.P11 is the photocopy of the Aadhaar Card in respect of his sister G.Bapu.

xii) Ex.P12 is the computer generated death certificate of his sister G.Bapu, who died on 06.10.2018.

xiii) Ex.P13 is the photocopy of the representation dated 11.02.2019 given by us to the Tahsildar, Aynavaram, Chennai with original acknowledgement card.

xiv) Ex.P14 is the photocopy of the Aadhaar card in respect of his elder sister Karaneeswari Ramamoorthi, the 5th petitioner herein.

xv) Ex.P15 is the photocopy of the Aadhaar card of Vedanayaki, the 6th petitioner herein.

xvi) Ex.P16 is the photocopy of the Aadhaar card of Arunagiri, the 7th petitioner herein.

xvii) Ex.P17 is the photocopy of his Aadhaar Card.

xviii) Ex.P18 is the photocopy of the Aadhaar card of Mohan Govindaswamy, the 9th petitioner herein.

xix) Ex.P19 is the photocopy of the Aadhaar cards of the legal heirs of late G.Rathina Velu.

xx) Ex.P20 is the affidavit of assets showing the net value of the estate as Rs.68,67,606/-.

xxi) Ex.P21 (series 2 Nos) are the copies of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 05.10.2019 and one issue of english daily "Trinity Mirror" dated 12.10.2019.

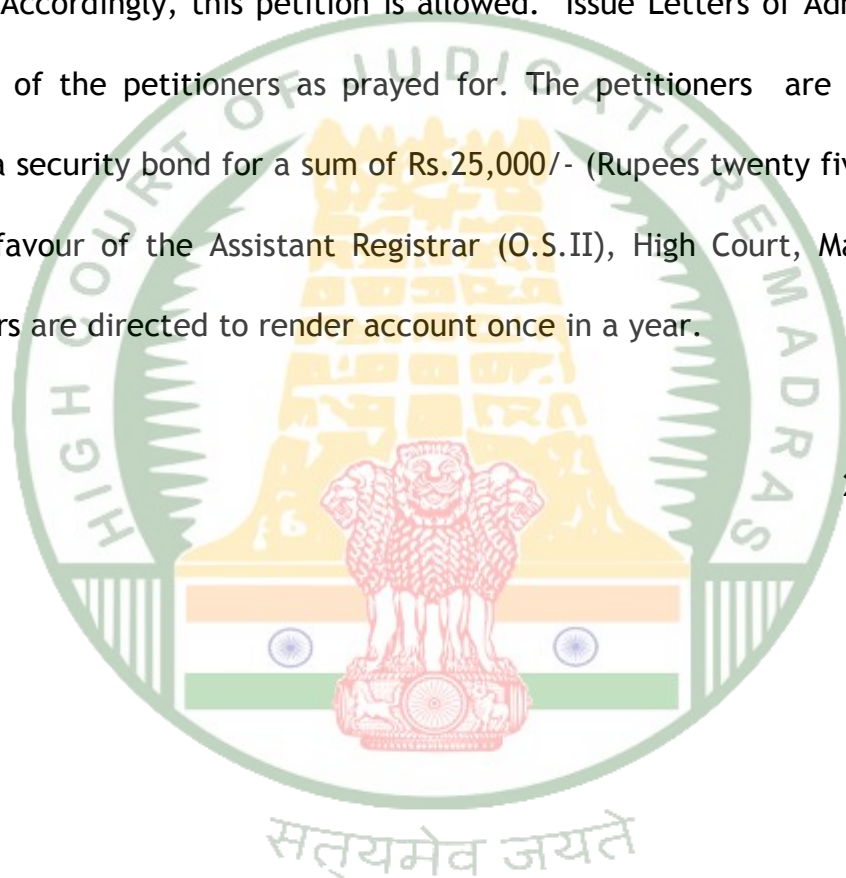
He has further stated in his evidence that he has not filed any other petition seeking the same relief.

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 as prayed for. The petitioners are 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 directed to render account once in a year.

28.11.2019

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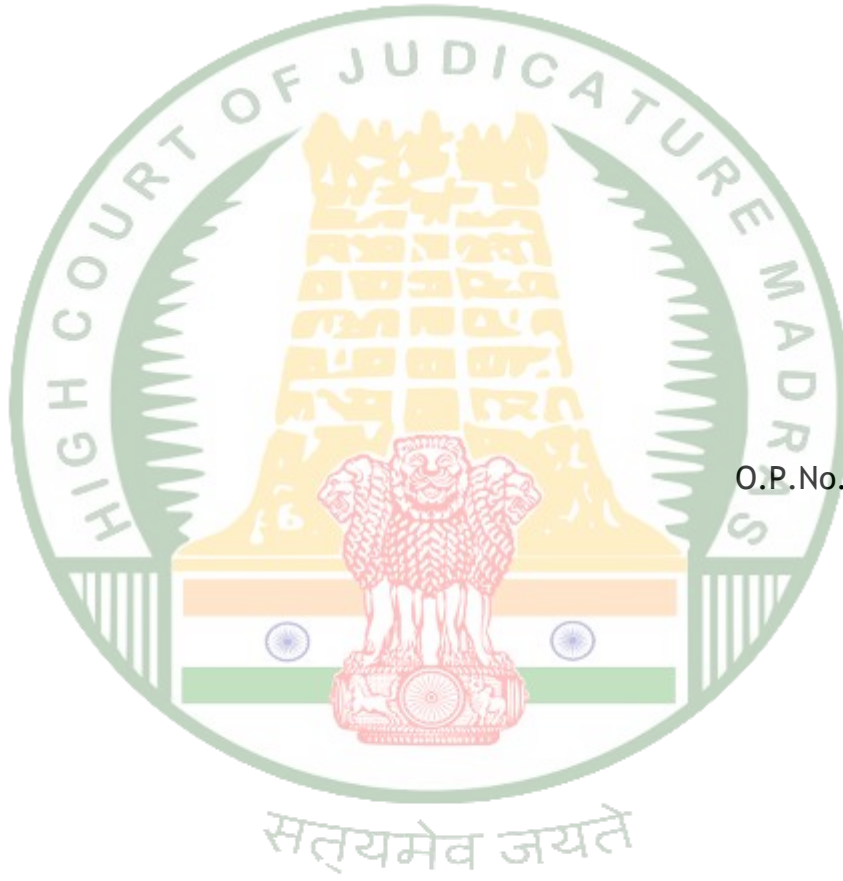


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