

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.547 of 2018

Mrs.V.K.Bhuvaneswari

... Petitioner

Vs.

1.Mrs.Jayanthi Srinivasan

2.Mr.V.K.Arunkumar

... Respondents

Prayer: Original Petition filed under Section 218 & 278 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the Original Side Rules 1956 praying that letters of Administration to the property and credits of the deceased to have effect throughout the State of Tamilnadu may be granted to her.

WEB COPY

ORDER

The petitioner seeks issuance of Letters of administration for the estate of the deceased V.N.Sundar, who died on 24.03.2018.

R.SUBRAMANIAN.J.,

tta

2. The petitioner is the brother's wife of the deceased. The husband of the petitioner V.N.Kumarasamy admittedly predeceased V.N.Sundar on 26.11.2017. The 1st respondent is the surviving sister of the deceased V.N.Sundar. Therefore, under Section 8 of the Hindu Succession Act, she alone would be the heir, since as a sister she comes under entry 2 to Clause 2 of the schedule and she will exclude brother's wife or the brother's children.

3. Since, there is no dispute regarding the succession and the sister who figures as 1st respondent is the sole heir of the estate, this application is allowed granting Letters of administration in favour of the 1st respondent. The petitioner shall execute bond for Rs.25,000/-.

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26.02.2019

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Speaking order/Non speaking order
Internet: Yes/No

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