

A.No.1091 of 2021
in O.P.No.81 of 2019

R.PONGIAPPAN, J.,

The second petitioner in O.P.No.81 of 2019, is the petitioner herein. Along with one E.Dinesh (deceased), he has filed this Original Petition, seeking the relief to grant Letters of Administration with the Will annexed as the property and credit of the deceased i.e. Selvi.R.Leela.

2. When at the time, the proceedings are pending before this Court, Mr.E.Dinesh / first petitioner, was died on 22.12.2019. Therefore, this Court directed the present petitioner to produce the legal heirship certificate, in respect to the deceased first petitioner.

3. The case of the petitioner herein is that, when at the time the second petitioner was attempted to trace the legal heirship certificate of the first petitioner, the situation has been changed due to Covid-19 pandemic and therefore, the petitioner has not appeared before this Court and ultimately, on 03.09.2020, this Court dismissed the said Original Petition for default.

4. Now, this application has been filed only to set aside the dismissal order and for restoring O.P.No.81 of 2019. In respect to the

respondent, the documents had already been produced by the petitioner shows that she has given consent affidavit for granting Letters of Administration in favour of the second petitioner.

5. Therefore, being the reason that the respondent is not having any objection for allowing the said O.P.No.81 of 2019, notice to the respondent, is dispensed with. In otherwise, today along with the application, the petitioner herein has produced a copy of the legal heirship certificate of the deceased first petitioner.

6. Hence, in view of the above, this application is ordered, as prayed for.

7. Registry is directed to list O.P.No.81 of 2019 on 30.03.2021, after carry out the amendment in the Original Petition in respect to the death of the first petitioner for further proceedings.

sri

16.03.2021

R.PONGIAPPAN, J.

sri



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