

O.P.No.646 of 2020

V.PARTHIBAN.,J.

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the High Court Original Side Rules, seeking the grant of Letters of Administration.

2.In the petition, it is stated that the deceased Indrani died on 07.11.1995 at Choolaimedu, Chennai and she was ordinarily residing at No.41, Kamala Nehru Nagar 2nd street, Choolaimedu, Chennai. The deceased possessed the property within the jurisdiction of this Court. The deceased died leaving behind her two daughters as legal heirs. The husband, parents of the deceased predeceased her. The deceased died intestate and executed a Will dated 24.10.1991 which is registered as Document No.176 of 1991 in the office of the Sub-Registrar, Kodambakkam. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.31,50,000/- and the net amount of the said assets after deducting all the items, which the petitioner in law allowed to deduct is only of the value of Rs.31,50,000/-. The petitioner undertakes to duly administer the property and credits of the deceased Indrani and to make a full and true inventory thereof

and exhibit the same to the Court within six months from the date of grant of Letters of Administration to the petitioner and also render a true account of the said property and credits within one year from the said date. No application has been filed in any other Court for Letters of Administration.

3.The petitioner, who examined himself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P9:

Ex.P1 is the computer generated death certificate of his mother Palaniyammal who died on 23.03.1983.

Ex.P2 is the photocopy of the Settlement Deed dated 21.12.1990 registered as Doc.No.5968 of 1990 at SRO, Kodambakkam.

Ex.P3 is original Will dated 24.10.1991 executed by his maternal grandmother Mrs.Indrani.

Ex.P4 is the original death certificate of his maternal grandmother Indrani Ammal, who died on 07.11.1995.

Ex.P5 is the computer generated death certificate of Muniammal, who died on 01.01.1998.

Ex.P6 is his copy of the application for obtaining LR certificate

with original acknowledgement card from S.G.Sekar.

Ex.P7 is the affidavit of assets showing the net value of the estate as Rs.31,50,000/-

Ex.P8 is the consent affidavit given by the respondent stating that she has no objection in grant of Letters of Administration.

Ex.P9 are the copies of paper publications effected in one issue of Tamil daily "Makkal Kural" dated 30.03.2021 and one issue of English daily "Trinity Mirror" dated 06.04.2021.

4.Mr.K.Loganathan, who has examined himself as P.W.2 has stated that he is well acquainted with the deceased and has subscribed his signature as the first attesting witness. He has also filed an affidavit to that effect. Ex.P10 is the affidavit of Mr.Loganathan.

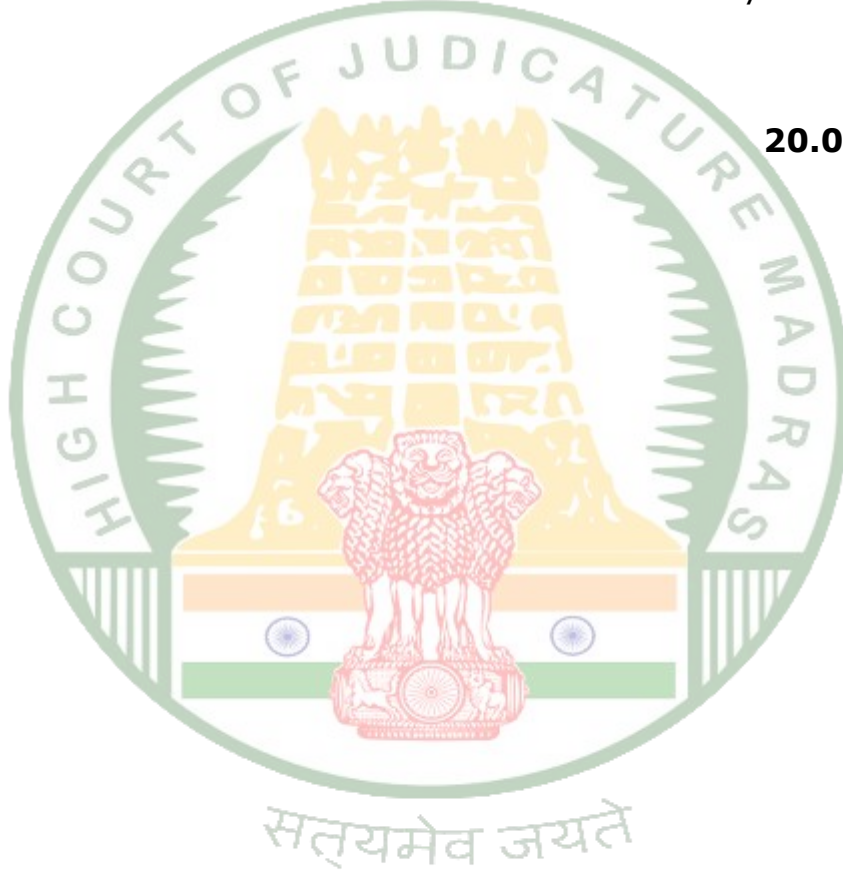
5.Considering the averments made in the petition and on perusing the materials available on record, this Court is satisfied that the petitioners are entitled to the issuance of Letters of Administration.

6.Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the

deceased more fully described in the schedule. The petitioners are also 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 further directed to render true and correct accounts once in a year.

tri/mrm

20.09.2021

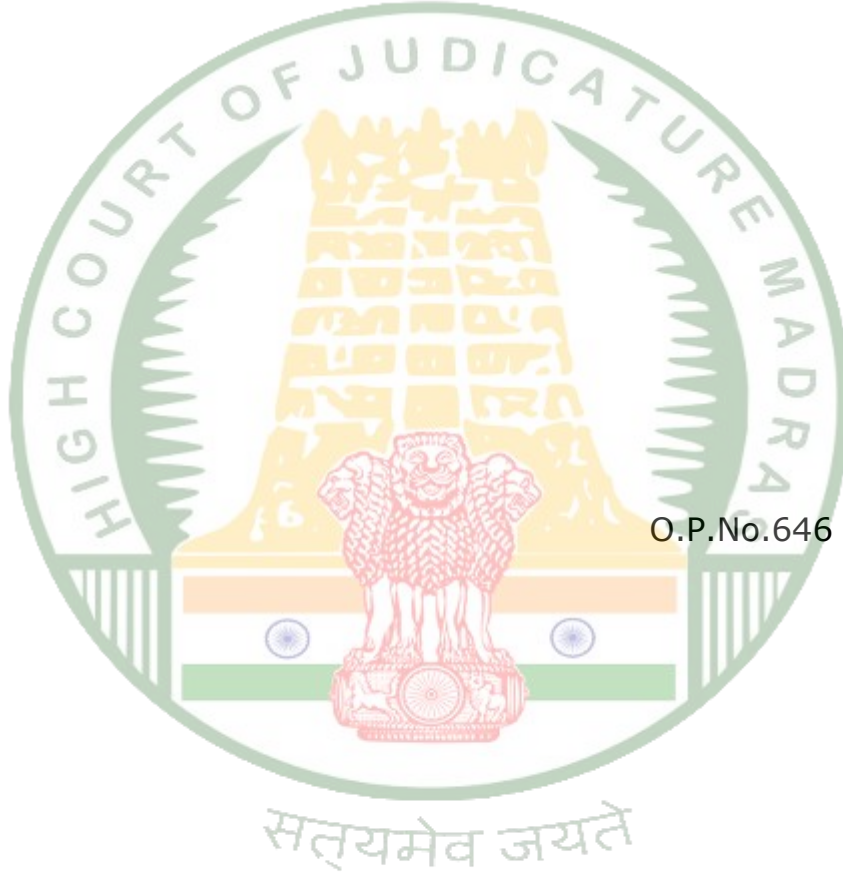


WEB COPY

O.P.No.646 of 2020

V. PARTHIBAN.,J.

tri/mrm



O.P.No.646 of 2020

WEB COPY

20.09.2021