

O.P.No.526 of 2021

V.PARTHIBAN.,J.

This Petition has been filed under Sections 218 and 278 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 G.S.Ganapathy died on 04.05.2021 at Dr.Kamakshi Memorial Hospital, Radial Road, Pallikaranai, Chennai and he was ordinarily residing at Flat No.A-2, First floor, Wing 2, Kalyani Block, "Ragamalika Apartments", Tiruvenkadam street, R.K.Naggar, Mandaveli, Chennai – 600 028. The deceased possessed the property within the jurisdiction of this Court. The deceased died leaving behind his sisters as Class II legal heirs. The parents of the deceased predeceased him. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.3,22,03,950/- 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.3,21,83,950/-. The petitioner undertakes to duly administer the property and credits of

the deceased Mr.G.S.Ganapathy 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.

4.The third petitioner herein, who examined herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P7:

Ex.P1 is the computer generated death certificate of the Maragatham Ganapathy, who died on 01.04.2015.

Ex.P2 is the computer generated death certificate of Mr.G.S.Ganapathy, who died on 04.05.2021.

Ex.P3 is the affidavit of assets showing the net value of the estate as Rs.3,21,83,950/-.

Ex.P4 is the original Valuation Report dated 21.07.2021 in respect of Silver Articles issued by certified Valuer.

Ex.P5 is the original valuation report dated 12.07.2021 in respect of Gold Articles issued by the certified Valuer.

Ex.P6 is a copy of paper publication effected in one issue of

Tamil Daily "Makkal Kural" dated 25.08.2021.

Ex.P7 is a copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 01.09.2021.

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

6.Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioner. The third petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The third petitioner is also directed to execute a security bond on behalf of the other petitioners 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 petitioner is further directed to render true and correct accounts once in a year.

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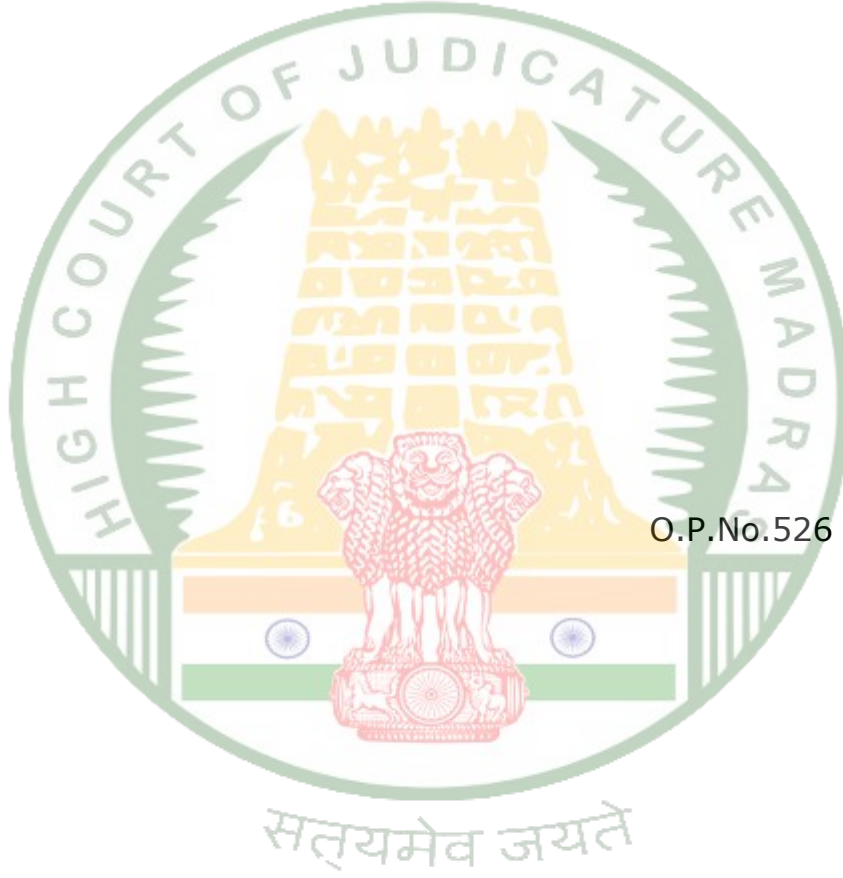
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