

O.P.No.858 of 2019

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 S.Venkatraman died on 02.04.2001 at No.1057, 5th Main Road, D Block, 2nd stage, R Nagar, Bangalore-10 and he was ordinarily resided at the said address. The deceased possessed the property within the jurisdiction of this Court. The parents of the deceased predeceased him. The deceased died intestate and executed a Will on 14.08.2000 and registered in Sub-Registrar Office, Rajaji Nagar, Bangalore. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.2,00,00,000/- (Rupees Two Crore only) 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.1,99,99,000/- (Rupees One Crore Ninety Nine Lakh Ninety Nine Thousand Only). The petitioner undertakes to duly administer the property and credits of the deceased S.Venkatraman 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 P12:

Ex.P1 is the photocopy of the Sale Deed dated 21.02.1994 executed in favour of S.Venkatraman.

Ex.P2 is the original registered Will and Testament dated 14.08.2000 executed by S.Venkatraman.

Ex.P3 is the original death certificate of S.Venkatraman, who died on 02.04.2001.

Ex.P4 is the original Legal Heirship certificate dated 05.01.2019 in respect of S.Venkatraman.

Ex.P5 is the consent affidavit given by the 1st respondent.

Ex.P6 is the consent affidavit given by the 2nd respondent.

Ex.P7 is the consent affidavit given by the 3rd respondent.

Ex.P8 is the consent affidavit given by the 4th respondent.

Ex.P9 is the consent affidavit given by the 5th respondent.

Ex.P10 is the affidavit of assets showing the net value of the estate as Rs.1,99,99,000/-

Ex.P11 is a copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 14.02.2021.

Ex.P12 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 15.02.2021.

4.One Mr.M.Sunil examined himself as P.W.2 and stated that testator executed the last Will and Testament in his presence. He has also subscribed his signature in the Will as the second attesting witness. He has also filed an affidavit to that effect. Ex.P13 is his affidavit.

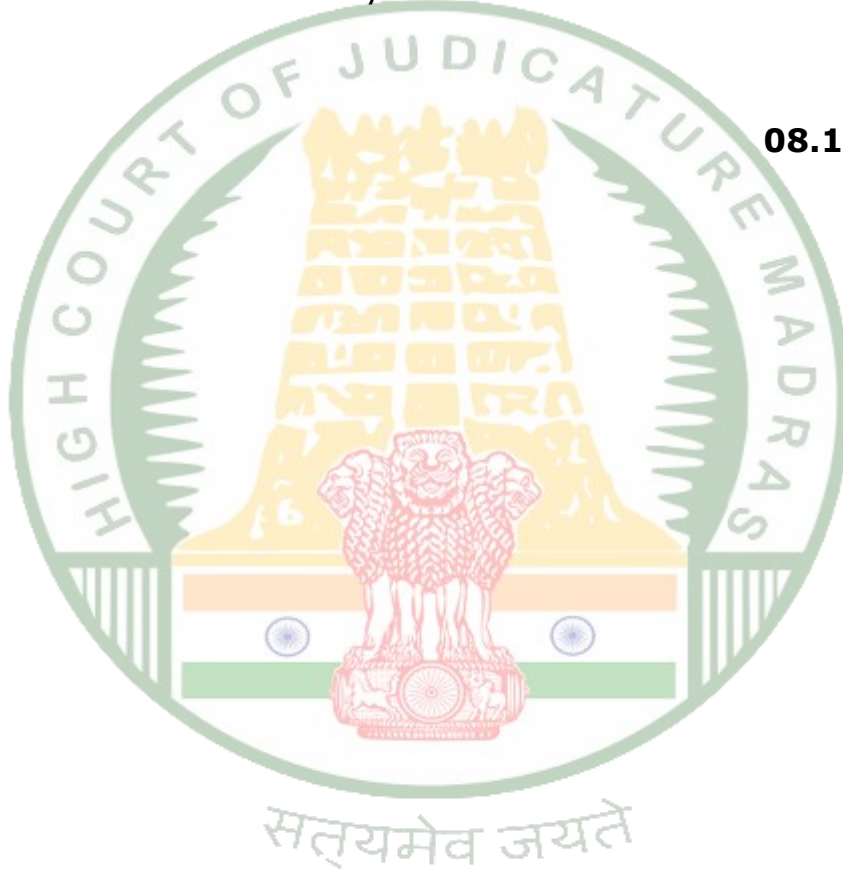
5.Considering the averments made in the petition and on perusing the materials available on record, this Court is satisfied that the petitioner is entitled to the issuance of Letters of Administration.

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

fully described in the schedule. The petitioner is 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 petitioner is further directed to render true and correct accounts once in a year.

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08.10.2021

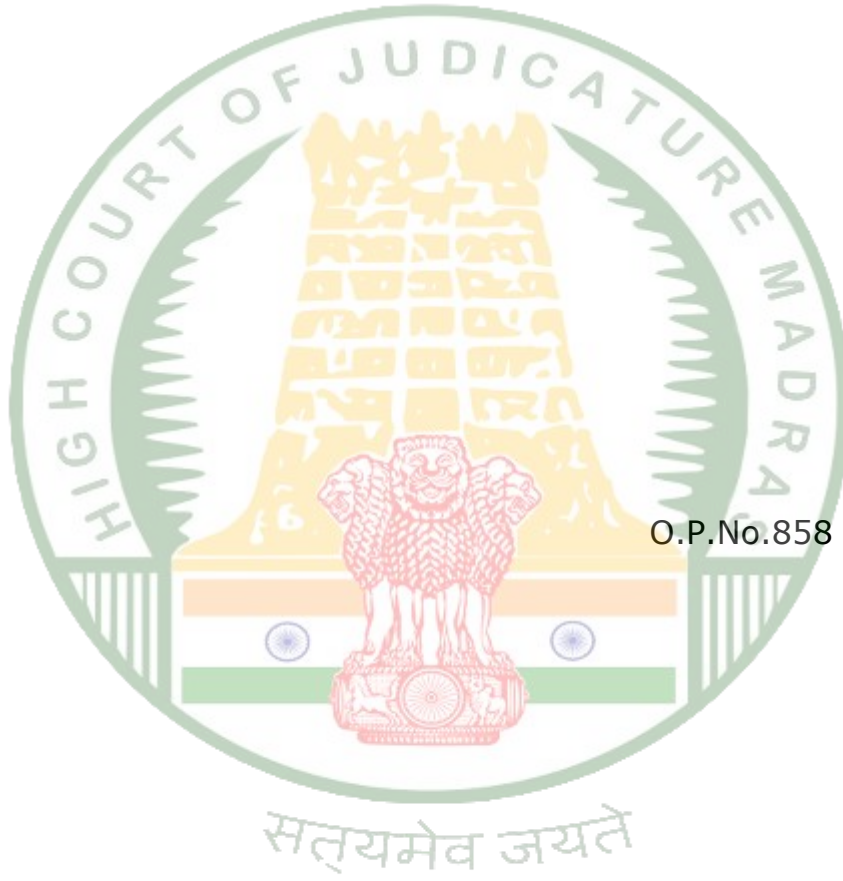


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