

O.P.No.650 of 2020

V.PARTHIBAN.,J.

This Petition has been filed under Sections 218 and 278 of the Indian Succession Act 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 J.Paul Raj died on 12.09.2017 at No.2, Mudichur Road, West Tambaram, Chennai - 600 045. He was ordinarily residing at the said address. The deceased possessed the property within the jurisdiction of this Court. The first petitioner is the brother of the deceased and the second petitioner is the sister of the deceased. The other petitioners are the wife and children of J.Rajasingh, who died on 17.11.2009. The parents of the deceased predeceased her. 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.90,00,000/- 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.90,00,000/-. The petitioner undertakes to duly administer the property and credits of the

deceased J.Paul Raj 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 herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P25:

Ex.P1 is the computer generated death certificate of the deceased who died on 12.09.2017.

Ex.P2 is the original death certificate of P.Parvathi who died on 15.05.2016.

Ex.P3 is the photocopy of the death certificate of first petitioner's father Jayaraj, who died on 17.08.1984.

Ex.P4 is the computer generated Legal Heirship certificate dated 26.08.2020 in respect of the father Jayaraj.

Ex.P5 is the computer generated death certificate of first petitioner's mother Gnanadeepam, who died on 01.05.2009.

Ex.P6 is the computer generated legal heirship certificate

dated 16.07.2020 in respect of Gnanadeepam.

Ex.P7 is the computer generated death certificate of first petitioner's another brother J.Rajasingh, who died on 17.11.2009.

Ex.P8 is the photocopy of the legal heirship certificate dated 28.01.2011 in respect of J.Rajasingh.

Ex.P9 is the original letter dated 19.03.2020 given by Tahsildar, Tambaram.

Ex.P10 is the original bond dated 03.03.2015 given by Adhitya Flexi Packaging standing in the name of J.Paul Raj.

Ex.P11 is the original promissory note dated 01.06.2016 given by G.Manohar to the deceased for a sum of Rs.1,00,000/-.

Ex.P12 is the computer generated patta no.18 printout dated 14.03.2018.

Ex.P13 is the computer generated patta no.882 printout dated 14.03.2018.

Ex.P14 is the computer generated patta no.1551 printout dated 14.03.2018.

Ex.P15 is the computer generated patta no.1920 printout dated 14.03.2018.

Ex.P16 is the computer generated patta no.157 printout dated 21.11.2020.

Ex.P17 is the computer generated patta no.135 printout dated

21.11.2018.

Ex.P18 is the photocopy of his Aadhar card bearing No.968085588554.

Ex.P19 is the photocopy of Aadhar card of the second petitioner bearing No.648617549464.

Ex.P20 is the photocopy of Aadhar card of the third petitioner bearing No.445320254688.

Ex.P21 is the photocopy of the driving license of the fourth petitioner.

Ex.P22 is the photocopy of Aadhar card of the fifth petitioner bearing No.684701067689.

Ex.P23 is the affidavit of assets showing net value of the estate as Rs.90,00,000/-.

Ex.P24 is the copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 02.03.2021.

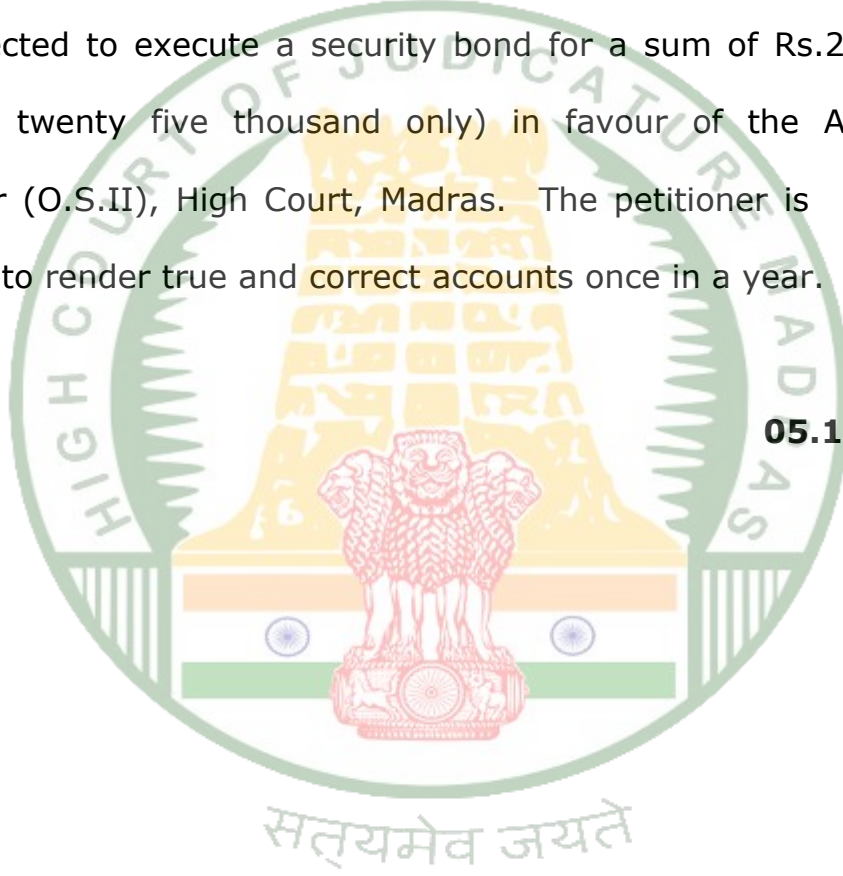
Ex.P25 is the copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 09.03.2021.

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 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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05.10.2021

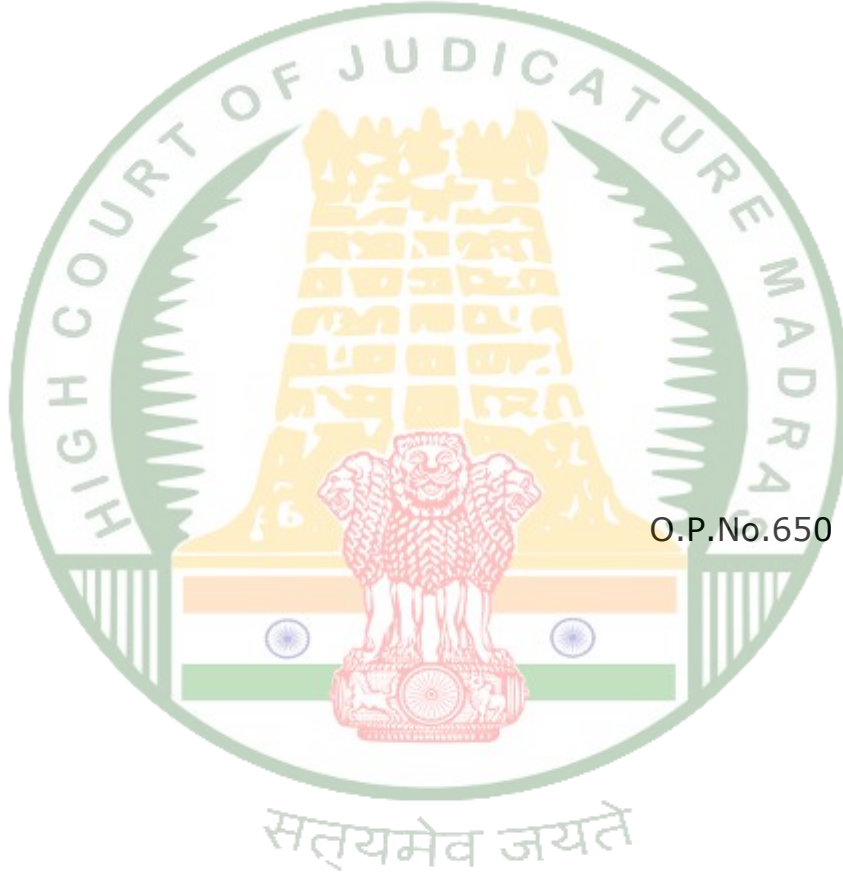


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