



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 30TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

A.No.4317 of 2021

in

O.P.No.526 of 2021

In the matter of
Indian Succession Act
XXXIX of 1925

and

In the matter of Estate of
Sri.G.S.Ganapathy Intestate-
deceased

1. Mrs.G.S.SARASWATHY
W/o.Late Rajamannar,
Flat No.A2, First Floor,
Wing 2, Kalyani Block,
“Ragamalika Apartments”,
Thiruvankadam Street, R.K.Nagar,
Mandaveli, Chennai-600 028

2.Mrs.G.PADMA
W/o.Mr.Ganesan,
5/1220, Bank of Baroda Colony,
Madipakkam, Chennai-600 091

3.Mrs.SAVITHRI CHENNAKESAVAN
W/o.Mr.R.Chennakesavan,
New No.16, Old No.12,
Fourth Avenue, Indira Nagar,
Adyar, Chennai-600 020

..Applicants/Petitioners



Application praying that this Hon'ble Court be pleased to grant permission to the Petitioners to enter into a Deed of Partition, register the same before the office of the Sub Registrar concerned, thereby dividing the properties set out in the Schedule to the Judges Summons between the Petitioners herein.

This application coming on this day before this court for hearing the court made the following order:

This application has been filed under section 307 of the Indian Succession Act seeking permission to enter into a deed of partition and to register the same before the Sub Registrar concerned, thereby dividing the properties set out in the schedule to the Judges Summons between the petitioners herein.

2. Only after giving due consideration to the evidence available on record, this Court by its order dated 23.09.2021 in O.P.No.526 of 2021 granted letters of administration in favour of the petitioners who are the sisters of the deceased G.S.Ganapathy who died intestate leaving behind movable and immovable assets.

3. In the present application, the petitioners has sought leave of this

Court to to partition the properties which is the subject matter of



O.P.No.526 of 2021. In the affidavit filed in support of this application, they have stated that the properties which are the subject matter of the letters of administration is not possible to be enjoyed jointly between themselves and under those circumstances, they sought leave of this Court to partition the properties.

4. The reason given by the petitioners is found to be reasonable and satisfactory. Therefore, this Court is inclined to permit the petitioners to enter into a deed of partition and register the same before the Sub Registrar concerned thereby dividing the properties set out in the schedule to the Judges Summons between the petitioners herein which is also the subject matter of the properties mentioned in the letters of administration granted by this Court in favour of the petitioners on 23.09.2021. Accordingly, this application is allowed as prayed for.

Sd/.A.Q.J.
30.11.2021

//Certified to be a true copy//

Dated this the day of 2021.

SU/01.12.2021

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.