

O.P.No.900 of 2019

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 M.Mallika died on 16.03.2019 at No.21, Lakshmi Nagar 4th Street, Velacherry, Chennai - 42 and she was ordinarily residing at the said address. The deceased possessed the property within the jurisdiction of this Court. The deceased died as spinster and the petitioner and the respondent are her sisters. 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.10,00,000/- 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.9,80,000/-. The petitioner undertakes to duly administer the property and credits of the deceased M.Mallika 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 petitioner, who examined herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P8:

Ex.P1 is the computer generated death certificate of the petitioner's sister M.Mallika, who died on 16.03.2019.

Ex.P2 is the photocopy of the petitioner's Aadhar Card bearing No.773305996655.

Ex.P3 is the consent affidavit given by the respondent stating that she has no objection in grant of letters of administration as prayed for in the petition.

Ex.P4 is the affidavit of assets showing the net value of the estate as Rs.9,80,000/-

Ex.P5 is a copy of paper publication effected in one issue of Tamil Daily Makkal Kural dated 02.12.2020.

Ex.P6 is a copy of paper publication effected in one issue of English Daily Trinity Mirror dated 09.12.2020.

Ex.P7 is the photocopy of the sale deed dated 09.11.1987.

Ex.P8 is the photocopy of the relationship certificate dated

26.06.2019 issued by the Village Administrative Officer, Vandavasi.

5.Considering the averments made in the petition and on perusing the materials available on record, I am 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.

mrm

20.09.2021

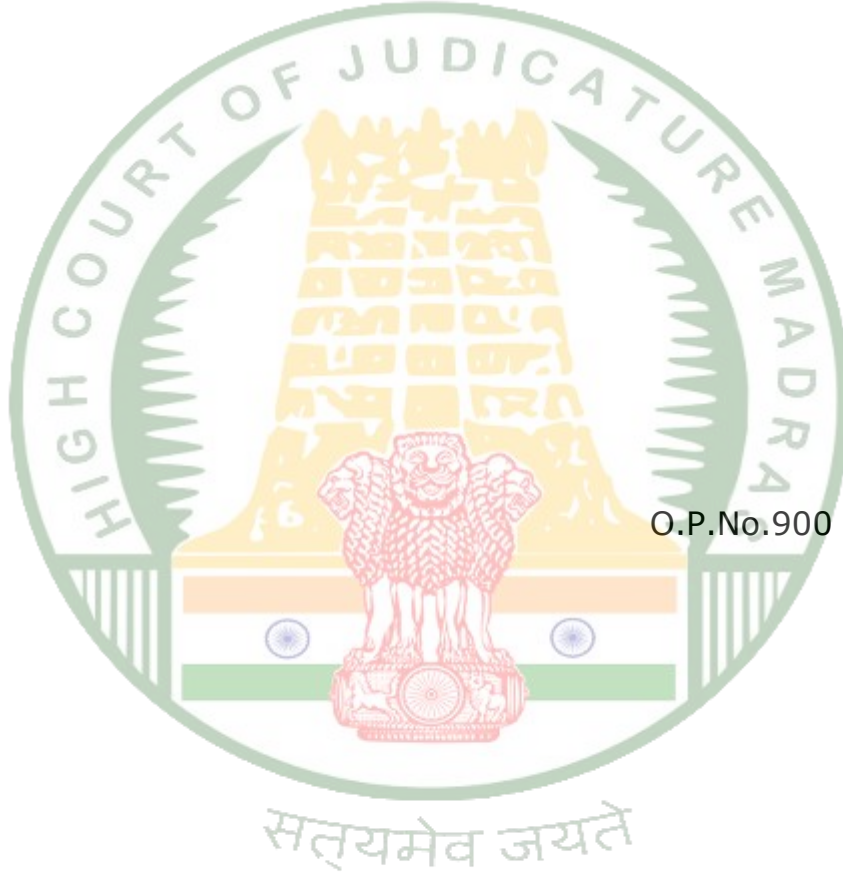
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