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

WEDNESDAY, THE 08TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.1196 of 2018

In the matter of Indian Succession
Act XXXIX of 1925
and
In the matter of Estate of
A.Krishnan, intestate, deceased

1. Mrs.THANGAM NARASIMHAN
W/o.Narasimhan,
D/o.A.V.Varadharajan,
No.1722, Vijayamaruthi
6th Avenue, Anna Nagar West,
Chennai-600 040.

2. V.ANNADORAI,
S/o.A.V.Varadharajan,
No.1722, Vijayamaruthi
6th Avenue, Anna Nagar West,
Chennai-600 040.

3. VARADHARAJAN BABUJI
S/o.K.A.Varadharajan,
No.1722, Vijayamaruthi
6th Avenue, Anna Nagar West,
Chennai-600 040.

4. V.DESIKAN
S/o.K.A.Varadharajan,
No.1722, Vijayamaruthi
6th Avenue, Anna Nagar West,
Chennai-600 040.



5. MRS.JAYALAKSHMI SUNDARARAJAN

W/o.Sundararajan,
D/o.K.A.Vardharajan,
No.1722, Vijayamaruthi,
6th Avenue, Anna Nagar West,
Chennai-600 040.

6. Mrs.KANAKA VETHANTHAM

W/o.R.Vethantham,
D/o.K.A.Varadharajan,
No.1722, Vijayamaruthi
6th Avenue, Anna Nagar West,
Chennai-600 040.

7. V.SAROJA

W/o.Late V.Vedantham Aiyangar,
M/47, F.H.Prakrti Apartment,
100 feet by Pass Road, Velachery,
Chennai-42.

8. A.V.VARADHARAJ

S/o.Late V.Vedantham Aiyangar,
M/57,, B-3/703, Kadamba,
Vasant Vihar, Pokran Road-2,
Thane (West)-400 610,
Maharashtra.

9. A.V.SARANGARAJAN

S/o.Late V.Vedatham Aiyangar,
M/47, Prakrti Apartment,
100 feet by pass Road, Velachery,
Chennai-42.

*** 10. NIRMALA BABUJI**

W/o.Late Varadharajan Babuji

*** 11. BHARATH BABUJI**

S/o.Late Varadharajan Babuji

*** 12. HARISHRI BABUJI**

D/o.Late Varadharajan Babuji,



**all are residing at No.204,22/1,
7th Cross, Above HDFC Bank,
Malleshwaram, Bangalore - 560 003.
(Impleaded as Petitioners 10 to 12
and amended as per order
dt.18/08/2021 in A.No.2841/2021)**

*** 13. V.JEYANTHI
D/o.R.Narasimhan,
W/o.P.Vasudevan,
No.22/36, G.F.Malar Thiruvarangam Bheemanna,
Garden Street, Alwarpet,
Teynampet, Chennai - 600 018.**

*** 14. N.GEETHA
D/o.A.V.Varadharajan,
W/o.Krishnamurthy,
No.10/27, Krishnaswamy Avenue,
Mylapore, Chennai - 600 004.**

*** (P13 and P14 impleaded and
amended as per ord.dt.26/10/2021
in A.No.3761/2021 in OP.1196/2018)**

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that Letters of Administration to the properties and credits of the A.Krishnan deceased to have effect throughout the State of Tamil Nadu may be granted to them.

This Original Petition coming on this day before this court for

hearing the court made the following order:



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This Petition has been filed seeking for grant of Letters of Administration without Will for the deceased A.Krishnan who died on 29.01.1993.

2. The deceased A.Krishnan was born to R.Anna Durai Iyengar and Kanakavalli and both of them were predeceased him long back. The said A.Krishnan married Chellammal. After the demise of A.Krishnan, his wife Chellammal died on 03.02.2012. A.Krishnan has two elder brothers namely (i) A.Ranganathan and (ii) K.A.Varadharajan, two elder sisters namely (iii) Pankajam and (iv) Senbagam and one younger sister namely (v) Kothai.

3. A.Ranganathan married Rukmani and both of them predeceased A.Krishnan without issues. Mr.K.A.Varadharajan married Komalavalli and both of them died leaving behind the petitioners 3 to 6 herein namely Varadharajan Babuji, V.Desikan, Jayalaksmi Sundararajan and Kanaka Vethantham as their legal heirs. During the pendency of this petition, the third petitioner herein namely Varadharajan Babuji died and his legal heirs viz., Nirmala Babuji, Bharat Babuji and Harishri Babuji were brought on



passed in A.No.2841 of 2021 in O.P.No.1196 of 2018.

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4. Pankajam married Srinivasan and gave birth to S.S.Gopalan and all the three are no more. Senbagam married A.V.Varadharajan and both of them died and their legal heirs are Thangam Narasimhan-1st petitioner, V.Annadorai-2nd petitioner and V.Vedantham Aiyangar (deceased). The legal heirs of the deceased V.Vedantham Aiyangar viz., V.Saroja, A.V.Varadharaj & A.V.Sarangarajan are the petitioners 7 to 9 herein. During the pendency of this petition, the first petitioner namely Thangam Narasimhan died and her legal heirs namely V.Jeyanthi and N.Geetha were brought on record as petitioners 13 & 14 as per the order of this court dated 26.10.2021 passed in A.No.3761 of 2021 in O.P.No.1196 of 2018. Kothai, the younger sister of the deceased A.Krishnan married Thothadri and both of them died without any issues.

5. According to the petitioners, there are only second class legal heirs of the deceased A.Krishnan. According to them, there are no other legal heirs surviving the deceased A.Krishnan. In such circumstances, they have sought for letters of administration.



Mr.A.V.Sarangarajan was examined as a witness (P.W.1) and deposed on behalf of all other petitioners also. P.W.1 has reiterated the contents of the petition filed in support of O.P.No.1196 of 2018. Through P.W.1, the following documents were marked as exhibits:-

Exhibits	Nature of the document
P-1	Computer generated death certificate of A.Krishnan, who died 29.01.1993.
P-2	Photocopy of the Legal Heirship certificate dated 24.02.1993 in respect of A.Krishnan.
P-3	Computer generated death certificate of Chellammal Krishnan, who died on 03.02.2012.
P-4	Original Relationship certificate dated 13.04.2015 concerning petitioners.
P-5	Certified copy of the Sale Deed dated 30.06.1977, registered as Doc.No.582 of 1977 at SRO, Ambattur.
P-6	Computer generated death certificate of Vedantham Varadharajan Aiyangar, who died on 19.04.2018.
P-7	Affidavit of assets showing the net value of the estate as Rs.4,75,00,000/-.
P-8	Copy of paper publication effected in one issue of Tamil daily "Maalai Malar" dated 18.03.2019.
P-9	Copy of paper publication effected in one issue of English daily "Deccan Chronicle" dated 08.03.2019.

7. From the evidence available on record, it is clear that Mr.A.Krishnan died on 29.01.1993 leaving behind no issues and his wife Chellammal also died subsequently on 03.02.2012. The relationship certificate dated 13.04.2015, which has been marked as Ex.P4, confirms the relationship between the deceased A.Krishnan and the petitioners. The Sale



Deed dated 30.06.1977 standing in the name of the deceased A.Krishnan, which has been marked as Ex.P5, also reveals and confirms that the deceased was owning a property mentioned in the schedule to the said Sale Deed till his death.

8. The death certificate of Vedantham Varadharajan Aiyangar, who was also one of the class two legal heirs and who died on 19.04.2018 prior to the filing of this O.P.No.1196 of 2018 has also been marked as Ex.P6. The petitioners have also effected paper publication in one issue of Tamil daily “Maalai Malar”, which has been marked as Ex.P8 and in one issue of English daily “Deccan Chronicle”, which has been marked as Ex.P9 with regard to their petition seeking for grant of letters of administration and no objection has been received till date after the said publication.

9. After giving due consideration to the pleadings as well as the evidence available on record, this Court is inclined to grant letters of administration as prayed. Accordingly, this petition is allowed.

10. Issue Letters of Administration in favour of the petitioners.

The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners



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are 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 petitioners are further directed to render
true and correct accounts once in a year.

Sd/.A.Q.J.
08.12.2021

//Certified to be a true copy//

Dated this the day of 2021.

SU.14.12.2021

COURT OFFICER(O.S.)

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