



O.P.No.665 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.665 of 2021

R.Sridhar

Son of late P.Ramakrishnan and
Thankam Ramakrishnan

... Petitioner

v.

1. Asha Swamy

2. Jeroo Prakash

3. Pourush Prakash

4. Vandana Venkat
6111 Riverbend Drive Lisle,
IL 60532, USA
Rep. By Power of Attorney
Shankar Swamy
3A Sharanalaya
22 Prithvi Avenue,
Chennai 600 018.

... Respondents

PRAYER: Original Petition filed under Sections 218 and 278 of the
Succession Act, 1925 and Order XXV Rule 5 of O.S.Rules 1956 prays that



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Letters of Administration annexed of the entire properties and credits of both the deceased to the have effect throughout the State of Tamil Nadu may be granted to the Petitioner.

For Petitioner : Mr.S.Namasivayam

ORDER

The petitioner seeks the grant of letters of administration in respect of the estate of the late P.Ramakrishnan and Thankam Ramakrishnan.

2. The petitioner states that he is the son of late P.Ramakrishnan and Thankam Ramakrishnan. The late P.Ramakrishnan died on 11.08.2018 and Thankam Ramakrishnan died on 14.02.2019. It is stated that the petitioner's father and mother ordinarily resided at the address specified in paragraph 4 of the petition, which is within the jurisdiction of this Court.

3. In the petition, the petitioner's sister is arrayed as the first respondent. The wife of the petitioner's brother, who pre-deceased his



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parents, is arrayed as the second respondent and her son is arrayed as the third respondent. The petitioner's sister's daughter is arrayed as the fourth respondent since the petitioner's sister passed away. All the respondents submitted consent affidavits.

4. In order to establish the claim made in the petition, the petitioner adduced evidence through Mr.Joideep Roy Chowdhury, the agent of the petitioner, who was examined as PW1. In course of the examination-in-chief of PW1, the 12 documents which are listed at the foot of this order, were exhibited as Exs.P1 to P12. These documents include: the death certificate of P.Ramakrishnan (Ex.P2) and the death certificate of Thankam Ramakrishnan (Ex.P3); the photocopy of sale deed dated 12.06.2000 in favour of Thankam Ramakrishnan (Ex.P1); and paper publications in one issue of the Tamil daily “Makkal Kural” on 31.03.2022 and the English daily “Trinity Mirror” on 09.04.2022 (Exs.P7 and P8), respectively. The consent affidavits of the four respondents were exhibited as Exs.P9 to P12.



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5. On the basis of the assertions in the petition and the evidence recorded in support thereof, the petitioner is entitled to succeed.

Consequently, O.P.No.665 of 2021 is allowed by granting letters of administration to the petitioner in respect of the assets described in the schedule to the petition. The petitioner shall execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the AR (OS-II) of this Court. The petitioner shall file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index : Yes / No

Petitioner's witness:

P.W.1 – Mr.Joideep Roy Chowdhury

Documents exhibited by the petitioners:

<i>Exhibit No.</i>	<i>Description</i>
Ex.P1	The photocopy of the Sale Deed dated 12.06.20222 in favour of Mr. Thankam Ramakrishnan (Compared with the original)



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<i>Exhibit No.</i>	<i>Description</i>
Ex.P2	The computer generated death certificate of P.Ramakrishnan.
Ex.P3	The computer generated death certificate of Thankam Ramakrishnan.
Ex.P4	The specific power of attorney dated 18.05.2022 executed by 1 st petitioner in my favour.
Ex.P5	The downloaded copy of the property tax statement in respect of property of Thankam Ramakrishna and P.Ramakrishnan.
Ex.P6	The affidavit of assets showing the net value of the estate of Rs.90,00,000/-.
Ex.P7	The copy of Paper publication effected in one issue Tamil Daily “Makkal Kural” dated 31.03.2022.
Ex.P8	The copy of Paper publication effected in one issue English Daily “Trinity Mirror” dated 09.04.2022.
Ex.P9	The consent affidavit given by the 1 st respondent.
Ex.P10	The consent affidavit given by the 2 nd respondent.
Ex.P11	The consent affidavit given by the 3 rd respondent.
Ex.P12	The consent affidavit given by the 4 th respondent.



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