



O.P.No.656 of 2019

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WEB CO **KRISHNAN RAMASAMY.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 Sarada R.Menon died on 30.10.2018 at SRM Institute for Medical Sciences, Chennai – 21. The deceased possessed the property within the jurisdiction of this Court. The petitioner and the respondents are sons of the deceased Sarada R.Menon. The husband of the deceased was predeceased to her. She executed a Will on 21.08.1996 in the presence of two witnesses. However, she had not appointed any executor. The petitioner and the respondents are the legatees under the said Will & Testament. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.1,07,52,763.95/-. The petitioner undertakes to duly administer the property and credits of the deceased Sarada R.Menon 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



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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 himself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P6:

Ex.P1 is the computer generated death certificate of Menon K R K.

Ex.P2 is the computer generated death certificate of Sarada R Menon.

Ex.P3 is the computer generated Legal Heirship certificate of Sarada R.Menon.

Ex.P4 is the original unregistered Will and Testament dated 21.08..1996 executed by Sarada R.Menon, which has been attested by two attestors.

Ex.P5 is the affidavit of assets showing the net value of the estate as Rs.1,07,52,763.95.

Ex.P6 are the copies of paper publication effected in one issue of Tamil daily “Maalai Sundar” dated 23.12.2019 and one issue of English daily “News Today” dated 30.12.2019.



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4. One Mrs.Chandrika Rajendran, neighbor of the petitioner herein for the past 25 years, is examined as PW.2 and marked her affidavit as Ex.P7.

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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