



O.P. No.792 of 2019

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ABDUL QUDDHOSE, J.

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This Petition has been filed for grant of Letters of Administration without a Will.

2. The petitioner is the son-in-law of the deceased, Mangalam Raman, who died intestate on 09.10.2016, leaving behind her daughter Vidya Raman as her legal heir. The husband of the deceased, Mangalam Raman, viz., R.Raman pre-deceased her on 26.11.2011 and her daughter Vidya Raman also died on 10.10.2016. After their respective deaths, the petitioner became entitled to the properties owned by the deceased, Mangalam Raman. The deceased Mangalam Raman has left behind a property, which is the subject matter of the Sale Deed dated 06.10.1981 and monies lying in her HDFC Bank account, as seen from the Balance Confirmation Certificate issued by the said bank dated 23.01.2018. She has also left behind monies, lying in the bank account held with Corporation Bank, Ambattur Branch, as seen from the Certificate issued by the said bank dated 24.01.2018. Since the deceased Mangalam Raman had died intestate, the petitioner has filed this petition, seeking for grant of Letters of Administration.



O.P. No.792 of 2019

3. Before the learned Master, the petitioner Sarath Babu Madhavan was examined as a witness (P.W.1). In his deposition, he has reiterated the contents of the petition filed in support of O.P. No.792 of 2019. Through P.W.1, the following documents were marked as Exhibits.

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Photocopy of the Sale Deed dated 06.10.1981 executed in favour of Mangalam Raman
Ex.P-2	Computer generated death certificate of R.Raman, who died on 26.11.2011
Ex.P-3	Photocopy of the legal heirship certificate dated 07.01.2012 in respect of R.Raman
Ex.P-4	Computer generated death certificate of Vidya Raman, who died on 10.10.2016.
Ex.P-5	Photocopy of the death certificate of Mangalam Raman, who died on 09.10.2016.
Ex.P-6	Photocopy of the Legal Heirship certificate dated 11.11.2016 in respect of Vidya Raman
Ex.P-7	Photocopy of the Balance Confirmation Certificate dated 23.01.2018 issued by HDFC Bank
Ex.P-8	Photocopy of the Certificate dated 24.01.2018 given by the Corporation Bank, Ambattur Branch.
Ex.P-9	Affidavit of assets showing the net value of the estate as Rs.49,50,054.80.
Ex.P-10	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 12.01.2021.
Ex.P-11	Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 19.01.2021.

4. As seen from the evidence available on record, Mangalam Raman



O.P. No.792 of 2019

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O.P. No.792 of 2019

Branch and HDFC Bank as referred to supra. Affidavit of assets has also been filed by the petitioner, disclosing the net value of the estate as Rs.49,50,054.80, which has been marked as Ex.P9. Paper publications have also been effected in one issue of Tamil daily viz., "Makkal Kural" dated 12.01.2021 and in one issue of English daily viz., "Trinity Mirror" dated 19.01.2021 with regard to O.P. No.792 of 2019, which have been marked as Exs.P10 and P11.

5. An averment has also been made in the petition that no application has been made to the District Court or delegate or to any High Court for Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to the properties and credits of the deceased. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

6. After giving due consideration to the pleadings and the evidence available on record, this Court inclined to grant Letters of Administration in favour of the petitioner as prayed for. Accordingly, O.P. No.792 of 2019 is



O.P. No.792 of 2019

allowed.

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7. Registry is directed to issue Letters of Administration in favour of the petitioner having effect limited to the Union of India, he being the beneficiary of the deceased. The petitioner is directed to duly administer the properties and credits of the deceased, by paying first her debts and then the legacies therein bequeathed, so far as the assets will extend and to make a full and true inventory thereof and exhibit the same in this Court within six months from the date of the grant of Letters of Administration. 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 directed to render this Court a true and correct accounts within one year from the date of grant of Letters of Administration.

06.01.2022

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O.P. No.792 of 2019

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O.P. No.792 of 2019

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