



O.P.No.672 of 2021

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P. VELMURUGAN, J.

This Petition has been filed seeking for grant of letters of administration without Will.

2. The first petitioner is the husband and the second and third petitioners are the sons of the deceased Chandrakala Kanak Nagarkatti who died intestate on 13.12.2017 leaving behind the properties whose net value is approximately Rs.2,00,00,000/- which is disclosed in paragraph 7 of the petition filed in support of O.P.No.672 of 2021. The parents of the deceased predeceased her and as such, the petitioners are the only class-1 legal heirs of the deceased Chandrakala Kanak Nagarkatti.

3. Before the learned Master, the second petitioner who is the son of the deceased was examined as PW1 and in his deposition, he has reiterated the contents of the petition filed in support of O.P.No.672 of 2021. Through PW1, the following documents were marked as Exhibits:



O.P.No.672 of 2021

<i>Exhibits</i>	<i>Nature of Documents</i>
P1	Photocopy of the death certificate of Mr.P.Ganesh Rao
P2	Death certificate of Vatsala G.Rao
P3	Photocopy of the Sale Deed dated 24.03.1989 registered as Doc.No.182 of 1989 at SRO, Thousand Lights
P4	Photocopy of the Sale Deed dated 24.03.1989 registered as Doc.No.205 of 1989 at SRO, Thousand Lights
P5	Photocopy of the Construction Agreement dated 14.04.1989
P6	Photocopy of the Sale Deed dated 24.03.1989 registered as Doc.No.181 of 1989 at SRO, Thousand Lights
P7	Photocopy of the Sale Deed dated 24.03.1989 registered as Doc.No.206 of 1989 at SRO, Thousand Lights
P8	Photocopy of the Construction Agreement
P9	Photocopy of the death certificate of Chandrakala Kanak Nagarkatti
P10	Computer generated property tax receipt dated 01.05.2021
P11	Print out of water tax receipt dated 01.05.2021
P12	Computer generated family tree dated 07.08.2021
P13	Photocopy of Order dated 09.10.2015 in O.P.No.23 of 2015 passed by this Court.
P14	Series 3 Nos. are the photocopies of the Aadhaar Cards of the petitioners 1 to 3
P15	Photocopy of the Patta dated 03.02.2020
P16	Photocopy of the Adangal extract dated 18.03.1996
P17	Photocopy of the Chitta dated 18.03.1996
P18	Computer generated property tax receipt dated 01.05.2021
P19	Print out of water tax receipt dated 01.05.2021
P20	Photocopy of the Sale Deed dated 10.11.1995 registered as Doc.No.3134 of 1995 at SRO, Tiruporur
P21	Affidavit of assets showing the net value of the estate as Rs.2,00,00,000/-
P22	Series 2 Nos. are the copies of paper publications effected in one issue of Tamil daily "Dina Kural" dated 15.12.2021 and one issue of English daily "Southern Mail" dated 23.12.2021



O.P.No.672 of 2021

4. This Court perused and examined the materials available on record.

5. Ex.P9, the death certificate of Chandrakala Kanak Nagarkatti shows that she died on 13.12.2017. It is seen from Ex.P1 & Ex.P2 that the parents of the deceased Chandrakala Kanak Nagarkatti were predeceased her. Ex.P12 family tree reveals that the petitioners are the only legal heirs of the deceased. Ex.P13, the order dated 09.10.2015 passed in O.P.No.23 of 2015 by this Court granting letters of administration to Chandrakala Kanak Nagarkatti (deceased) for the properties of her parents, is evidenced that she is the only legal heirs for her parents. Exs.P3, P4, P5, P6, P7, P8, P10, P11, P15, P16, P17, P18, P19, P20 reveal that the petition schedule mentioned properties are standing in the name of the deceased. Paper publications have also been effected in one issue of Tamil daily “Dina Kural” dated 15.12.2021 in one issue of English daily “Southern Mail” dated 23.12.2021 and the copies of the same have been marked as Ex.P22 series.

6. After giving due consideration to the pleadings and the evidence available on record, this Court is inclined to grant letters of administration in favour of the petitioners as prayed for in this Original Petition. Accordingly, this Original Petition is allowed as prayed for.



O.P.No.672 of 2021

7. 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 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 account once in a year.

28.02.2022

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