



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

WEDNESDAY, THE 30TH DAY OF MARCH 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P. No.766 of 2021

In the matter of Indian Succession
Act (XXXIX) of 1925

and

In the matter of Estate of Dr.K.Hari
Priya-Died Intestate

K.ACHUTHAN
S/o.Late Thiruvenkatachary,
No.H36A, Parvathy Street,
Kalakshetra Colony, Besant Nagar,
Chennai - 600 090.

..Petitioner

Original Petition praying that this Hon'ble Court be pleased to
grant Letters of Administration to the properties and credits of the deceased
Dr.K.Haripriya to the petitioner to have effect throughout the State of Tamil
Nadu.

This Original Petition coming on this day before this court for
hearing, the court made the following order:



This Original petition has been filed for grant of Letters of Administration under Sections 218 and 278 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of Original Side Rules, 1956.

2. In the petition, it is stated that the deceased Dr.K.Haripriya died intestate as spinster on 27.11.2015 at Chennai Meenakshi Multi Specialty Hospital Ltd., Chennai -04. The deceased was ordinarily residing at No.7, Dr.Besant Road, Ice House, Chennai- 600 005 and left her schedule mentioned properties within the jurisdiction of this Court. The parents and two sisters of the deceased predeceased her. The deceased at the time of her death left behind her brother/petitioner herein and his sister Lakshmi Raman as her Class-II legal heirs to devolve item Nos.1 and 2 of schedule mentioned properties. The petitioner's sister Lakshmi Raman married with one Raman and out of their wedlock there was no issue. The husband of Lakshmi pre-deceased her. Subsequently, Lakshmi died intestate on 15.10.2020. Hence, the petitioner is the only Class-II legal heir, who claims to be entitled for the estate of the deceased K.Haripriya.

3.It is further stated that the amount of assets which are likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.1,66,94,800/- and the net amount of the said assets, after deducting all items, is of the value of Rs.1,66,94,800/-. There is no next of kin or other



persons interested to be impleaded other than the petitioner.

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4.The petitioner undertakes to duly administer the properties and credits of the deceased K.Haripriya by paying first her debts and to make a full and true inventory thereof and exhibits the same in the Court within six months from the date of grant of Letters of Administration and also to render to this Court a true account of the said properties and credits within one year from the said date.

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 for Letters of Administration with or without the Will annexed to her properties and credits.

6. Before the learned Master, the petitioner examined himself as P.W.1 and filed proof affidavit and also marked the following documents viz.,Exs.P1 to P12 :

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Photocopy of the report of death issued to K.Revathi.
P2	Photocopy of the Legal Heirship certificate in respect of Thangammal.
P3	Photocopy of the Legal Heirship certificate in respect



<i>Exhibits</i>	<i>Nature of the documents</i>
	of K.Revathi.
P4	Computer generated death certificate of K.Vijayalakshmi.
P5	Computer generated death certificate of Hari Priya.
P6	Computer generated death certificate of Lakshmi.
P7	Photocopy of the Sale Deed dated 24.09.1986 executed in favour of Dr.Hari Priya
P8	Photocopy of the Sale Deed dated 03.03.1988 executed in favour of K.Revathi.
P9	Photocopy of the Release Deed dated 26.09.2006 in favour of K.Haripriya
P10	Affidavit of assets showing the net vale of the estate as Rs.1,66,94,800/-.
P11	A copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 15.02.2022.
P12	A copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 22.02.2022.

7.After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioner, I am satisfied that the petitioner is entitled to the issuance of Letters of Administration.

8.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.

Sd/.P.V.J.
30.03.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/12.04.2022

COURT OFFICER(O.S.)

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