



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.765 of 2021

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

In the matter of Estate of
K.Vijayalakshmi – Died
Intestate

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

..Petitioners

Original Petition praying that this Hon'ble Court be pleased to grant Letters of Administration to the properties and credits of the deceased K.Vijayalakshmi 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



1925 read with Order XXV Rule 5 of Original Side Rules, 1956.

WEB COPY

2. In the petition, it is stated that the deceased K.Vijayalakshmi was ordinarily residing at No.7, Dr.Besant Road, Ice House, Chennai– 600 005 and died intestate as a spinster on 07.06.2009 and left her schedule mentioned property within the jurisdiction of this Court. The parents and one of the sister of the deceased predeceased her. The deceased at the time of her death left behind the petitioner and his sisters viz., Lakshmi Raman and K.Haripriya as Class II legal heirs to devolve the schedule mentioned property. Subsequently, petitioner's sisters also died intestate. Hence, the petitioner is the only Class-II legal heir, who claims to be entitled for the estate of the deceased K.Vijayalakshmi.

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.30,00,000/- and the net amount of the said assets, after deducting all items, is of the value of Rs.30,00,000/-. There is no next of kin or other persons interested to be impleaded other than the petitioner.

4.The petitioner undertakes to duly administer the properties and credits of the deceased K.Vijayalakshmi 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 property 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 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 P10 :

<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 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 10.02.1986 executed in favour of K.Vijayalakshmi.
P8	Affidavit of assets showing the net value of the estate as Rs.30,00,000/-.



<i>Exhibits</i>	<i>Nature of the documents</i>
P9	A copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 15.02.2022.
P10	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/04.04.2022 COURT OFFICER(O.S.)
From 25.09.2008 the Registry is issuing certified copies of the
Orders/Judgments/Decrees in this format.