



O.P.No.777 of 2021

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KRISHNAN RAMASAMY.J.

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

2.In the petition, it is stated that the deceased P.V.Vijayalakshmi Devi had two sisters namely P.V.Alamelu and P.V.Swarnalakshmi, who died as spinsters and one brother namely P.V.Ramachandran, who died as a bachelor. Her parents had also predeceased her. The deceased P.V.Vijayalakshmi Devi had possessed various properties within the jurisdiction of this Court. The petitioner herein as sibling of the deceased P.V.Vijayalakshmi Devi claims to be entitled for administration of her estate since he alone is the Class II legal heir of the deceased P.V.Vijayalakshmi Devi. The amount of the assets which are likely to come into the petitioners' hands does not exceed the aggregate sum of Rs.51,00,000/-. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The petitioner undertake to duly administer the property and credits of the deceased P.V.Vijayalakshmi Devi and to make a full and true inventory



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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 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 the deceased P.V.Vijayalakshmi Devi.

Ex.P2 is the computer generated death certificate of P.S.Rajalakshmi Ammal.

Ex.P3 is the original letter dated 13.06.2017 sent to the petitioner by the Tahsildar, Mambalam.

Ex.P4 is the affidavit of assets showing the net value of the estate as Rs.51,00,000/-.

Ex.P5 is a copy of Paper Publication effected in one issue of English daily “Trinity Mirror” dated 03.04.2022.

Ex.P6 is a copy of Paper Publication effected in one issue of Tamil



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daily “Makkal Kural” dated 24.03.2022.

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4.Despite the paper publication also, none has appeared and raised their objections.

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.

29.07.2022

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