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O.P.No.69 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.69 of 2022

Smt.Srikanta Jhaver

... Petitioner

Vs

1.Mr.Parikshith Jhaver

2.Mr.Kapil Jhaver

3.Mrs.Pooja Bagri

... Respondents

PRAYER: Original Petition filed for Letters of Administration under Sections 232 and 276 of Indian Succession Act 1925 under Order XXV Rule 5 of Original Side Rules for grant of Letters of Administration in respect of all of the assets, properties and credits of the deceased late Sri.Hari Krishna Jhaver having effect throughout the whole of the Union of India and to the extent of his investments abroad to the petitioner.

For Petitioner : Mr.T.Poornam

For Respondents : Mr.S.Raghunathan for RR1 &2

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the assets, properties and credits held by Hari



O.P.No.69 of 2022

Krishna Jhaver, who died intestate on 22.09.2019. The petitioner is the wife, respondents 1 and 2 are the sons and respondent 3 is the daughter of the deceased Hari Krishna Jhaver. The petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this Court.

2. The petitioner's power agent (Bajarangal Damani) has been examined as P.W.1. He has produced the death certificate of the deceased Hari Krishna Jhaver, as Ex.P1, and the legal heirship certificate of the deceased Hari Krishna Jhaver as Ex.P2. A perusal of Ex.P2 shows that the petitioner and respondents are the Class-I legal heirs. The respondents 1 to 3 had expressed their consent to grant Letters of Administration in favour of the petitioner and their consent affidavits are marked as Exs.P16 to P18. A paper publication has been made and objections have not been received.

3. In view of the above, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioner in respect of the assets, properties and credits held by Hari Krishna Jhaver. The petitioner is directed to execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the Assistant Registrar



O.P.No.69 of 2022

(Original Side) of this Court. The petitioner is further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

06.04.2023

pbn

Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioner's witness:

P.W.1 —Mr.Bajaranglal Damani

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Hari Krishna Jhaver
Ex.P2	Computer generated legal heirship certificate of Hari Krishna Jhaver
Ex.P3	Online copy of the guideline value of the property
Ex.P4	Photocopy of the sale deed dated 11.03.1964 executed in favour of Hari Krishna Jhaver, which was registered as Doc.No.830 of 1964, before the SRO, Sembium
Ex.P5	Photocopy of the sale deed dated 14.12.1964, executed in favour of Hari Krishna Jhaver which was registered as Doc.No.4803 of 1964 before the SRO, Sembium
Ex.P6	Photocopy of the sale deed dated 14.12.1964 executed in favour of Hari Krishna Jhaver which was registered as Doc.No.4804 of 1964, before the SRO, Sembium
Ex.P7	Photocopy of the sale deed dated 14.12.1964 executed in favour of Hari Krishna Jhaver which was registered as Doc.No.4805 of 1964, before the SRO, Sembium



O.P.No.69 of 2022

<i>Exhibits</i>	<i>Documents</i>
Ex.P8	Property of the Sale Deed dated 05.09.2001 executed in favour of Manmohan Trading Co., represented by its proprietor Mr.Hari Krishna Jhaver which was registered as Doc.No.4517 of 2001 before the SRO, Red Hills
Ex.P9	Photocopy of the patta bearing No.165, standing in the name of Mr.Hari Krishna Jhaver
Ex.P10	Online copy of transaction statement of late Mr.Hari Krishna Jhaver for the period 01.04.2019 to 31.03.2020 from Stock Holding Corporation of India Limited.
Ex.P11	Online copy of the consolidated statement of late Mr.Hari Krishna Jhaver for the period 01.08.2021 to 31.08.2021 issued by NSDL
Ex.P12	Online copy of the interest statement of late Mr.Hari Krishna Jhaver for the period 01.09.2021 to 30.09.2021 from Citi Gold Bank
Ex.P13	Photocopy of the acknowledgment for the loan given to Proland Realty Private Limited
Ex.P14	Photocopy of the balance sheet reflecting deposit in H.K.&Sons (HUF)
Ex.P15	Photocopy of the acknowledgment of deposit issued by Tamilnadu Maheswari Foundation
Ex.P16	Consent affidavit given by the 1 st respondent
Ex.P17	Consent affidavit given by the 2 nd respondent
Ex.P.18	Consent affidavit given by the 3 rd respondent
Ex.P.19	Affidavit of assets showing the net value of the estate as Rs.18,03,91,571.47.
Ex.P.20	Copy of paper publication effected in one issue of English daily "Southern Mail", dated 10.09.2022
Ex.P.21	Copy of paper publication effected in one issue of Tamil daily "Dina Kural" dated 17.09.2022.
Ex.P.22	Photocopy of the power of attorney dated 03.06.2022 executed by the petitioner in my favour.



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pbn



O.P.No.69 of 2022

06.04.2023

K.KUMARESH BABU,J.

pbn

O.P.No.69 of 2022

06.04.2023