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O.P.No.178 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No. 178 of 2023

V.Karthikeyan

...

Petitioner

PRAYER: Original Petition filed for Letters of Administration under Section 218 & 278 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the Original Side Rules, 1956, prays that the letters of administration to the property and credits of the deceased V.Nirmala, specified in the schedule hereto, to have effect throughout the whole of Union of India may to granted in favour of the petitioner by this Court.

For Petitioner : Mr.Elizabeth Ravi

ORDER

This petition has been filed for seeking the Letters of Administration in respect of the property and credits of the deceased V.Nirmala, specified in the schedule.

2.The averments in the petition are as follows:-

The petition mentioned properties are self acquired property of the petitioner's mother by one Tmt.Nirmal Vedanatham, died intestate on



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03.01.2021, leaving behind her only son as her legal heir. The husband of Nirmala Vedanatham left her before 38 years and his whereabouts are not known. Since the petitioner's mother died intestate, he had filed this petition seeking Letters of Administration in respect of the properties inherited by him from his mother.

3. The petitioner examined himself as PW.1 and Ex.P1 to Ex.P6 were marked through him.

4. From Ex.P1 it is seen that the mother of the petitioner, Nirmala Vedanatham died on 03.01.2021. The parents of the Nirmala Vedanatham also predeceased her. In Ex.P2 birth certificate would show that the petitioner has born through the deceased Nirmala Vedanatham and M.N.Vedanatham. The paper publications effected in one issue of Tamil daily 'Makkal Kural' dated 03.08.2023 and another issue of English daily 'Trinity Mirror' dated 25.07.2023 did not attract any objectors. The title deeds in respect of properties have been marked as Ex.P3 to Ex.P5.

5. Since the owner of the properties, who is the mother of the petitioner died intestate leaving behind the petitioner as her only surviving legal heir and her husband's whereabouts are not known and considering the oral and documentary evidence produced by the petitioner, the Letters of Administration is granted in his favour.



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6. Accordingly, this Original Petition is **allowed** by granting a Letter of Administration to the petitioner in respect of the petition mentioned scheduled properties of late V.Nirmala. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the Assistant Registrar (Original Side) of this Court. The petitioner is further directed to file an inventory of assets and a statement of accounts within a period of six months and one year, respectively.

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jrs

Internet :Yes/No

Speaking: Non speaking

Neutral:Yes/ No



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APPENDIX

Petitioner's witness:

P.W.1 – V.Karthikeyan

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated copy of the death certificate of V.Nirmala issued on 20.01.2021
Ex.P2	the original birth certificate of petitioner issued on 3.4.1986
Ex.P3	The certified copy of the deed of settlement registered as No.9071/2017 dated 29.11.2017.
Ex.P4	the certified copy of the deed of settlement registered as No.3665 /2017 dated 29.11.2017.
Ex.P5	The certified copy of the deed of settlement registered as No.1610/2003 dated 03.04.2003
Ex.P6	the office copy of the letter dated 29.06.2021 issued to Tahsildar, Mylapore Taluk.

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