



O.P.No.377 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Sections 218 and 278 of the Indian Succession Act read with Order XXV Rule 5 of the Original Side Rules, seeking to grant of Letters of Administration in respect of the estate of the deceased K.Sekar.

2. This petition has been filed for grant of Letters Administration in respect of the estate of the deceased K.Sekar. The first petitioner is the wife of the deceased and petitioners 2 to 4 are the daughters of the deceased and the fifth petitioner is the son of the deceased. The deceased K.Sekar died on 22.06.2021. The parents of the deceased predeceased him. The petitioners are the Class-I legal heirs of the deceased and there is no other legal heir to be impleaded in this petition. The deceased died intestate and though due and diligent search has been made for a Will, nothing has been found.



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During the life time of the deceased, he operated bank account No.10083114983 and the locker No.3/40 with the State Bank of India, M.K.B. Nagar Branch. The petitioners are not able to operate the bank account and the locker of the deceased and the bank is insisting to obtain Letters of Administration. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.3,10,000/- and the net amount of the said assets after deducting all the items, which the petitioners are by law allowed to deduct is only of the value of Rs.2,90,000/-. The petitioners undertakes to duly administer the property and credits of the deceased K.Sekar and to make a full and true inventory thereof and exhibit the same to the Court within six months from the date of grant of Letters of Administration to the petitioners and also render a true account of the said property and credits within one year from the said date.

3. The first petitioner has been examined as P.W.1 and Ex.P.1 to Ex.P.10 marked.



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4. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Letters of Administration in favour of the petitioners in respect of the estate of the deceased K.Sekar. Ex.P.1 is the copy of the computer generated death certificate of K.Sekar. Ex.P.1 has been filed to prove that the deceased K.Sekar died on 27.06.2021. Ex.P.2 is the legal heir certificate of the deceased K.Sekar. Ex.P.2 shows that the petitioners are the legal heirs of the deceased. Ex.P.3 is the copy of the letter dated 27.07.2022 sent by the State Bank of India requesting the first petitioner to submit Letters of Administration. Ex.P.4 is the copy of the certificate appointing the first petitioner as the legal guardian of the fourth petitioner, who is a disabled daughter of the first petitioner. Ex.P.8 is the affidavit of assets showing the net value of the estate as Rs.2,90,000/- Ex.P.9 and Ex.P.10 are the paper publications, but none have objected for the same.



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5. In view of the above facts, I am of the view that the petitioners have proved their claim and hence, the petitioners are entitled for the issuance of Letters of Administration in their favour.

6. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners are 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 petitioners are further directed to render true and correct accounts once in a year.

06.11.2023

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