



WEB COPY



O.P.No.335 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.335 of 2022

Sathyanarayanan

... Petitioner

Vs

1.V.Lakshmi

2.G.Latha

... Respondents

PRAYER: Original Petition filed for issuance of Letters of Administration under Section 232 & 276 of the Indian Succession Act, r/w.XXV Rule 5 of the Original Side Rules, prays that the Letters of Administration to the properties and credits of the deceased having effect throughout the State of Tamil Nadu, to the petitioner being the brother of the deceased Late Mr.Gopalakrishnan and brother-in-law of Late Mrs.G.Visalakshi.

For Petitioner : Mr.Harshit S.Jain

for M/s.Rank Associates

For Respondents : No appearance

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the property and credits held by S. Gopalakrishnan and G.Visalakshi, both died intestate on 31.03.2019 and



O.P.No.335 of 2022

14.12.2021 respectively. The petitioner is the brother and brother in-law of the deceased. The respondents are the daughters of Santhanam, the pre-deceased brother of the deceased S.Gopalakrishnan. The petitioner seeks issuance of Letters of Administration in respect of the property and credits situate within the jurisdiction of this Court.

2. The petitioner submits that his brother late S.Gopalakrishnan was married to one Visalakshmi and they had no issues out of the wedlock. The said S.Gopalakrishnan has two brothers namely Sathyanarayanan (petitioner herein) and late Santhanam. The petitioner further submits that both the deceased died intestate and the petitioner being the only surviving Class-II legal heir of deceased S.Gopalakrishnan and brother in-law of deceased G.Visalakshmi claims to be entitled for the share of the estate.

3. The petitioner is examined as P.W.1. He has produced the death certificates of the deceased S.Gopalakrishnan and G.Visalakshi, as Exs.P1 and P3, and the legal heirship certificate of the deceased S.Gopalakrishnan, as Ex.P2. A perusal of Ex.P2 shows that late G.Visalakshmi is the only Class-I legal heir left behind by the deceased S.Gopalakrishnan at the time of his death. The first and second respondents have given their consent to



O.P.No.335 of 2022

grant Letters of Administration in favour of the petitioner, and their consent affidavits are marked, as Exs.P13 and P14. A paper publication has been made and any objections have not been received.

4. In view of the above said facts and evidence, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioner, in respect of the property and credits held by S.Gopalakrishnan and G.Visalakshmi. 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 (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.

28.04.2023

gba

Index :Yes/No

Speaking order: Yes/ No

Neutral Citations: Yes/ No

Petitioner's witness:

P.W.1 - Mr.Sathyanarayanan

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.S.Gopalakrishnan
Ex.P2	Computer generated legal certificate of Mr.S.Gopalakrishnan



<i>Exhibits</i>	<i>Documents</i>
Ex.P3	Computer generated death certificate of Mrs.G.Visalakshi
Ex.P4	Photocopy of the share certificate of Shriram Transport Finance Company Ltd. bearing registered folio No.78905 and certificate No.607602 in respect of Mr.Gopalakrishnan
Ex.P5	Photocopy of the City Union Bank fixed deposit advice in respect of Mrs.G.Visalakshi
Ex.P6	Karnataka Bank Savings account passbook bearing account No.4962500101690001 in respect of the account held by Mr.S.Gopalakrishnan and Mrs.G.Visalakshi
Ex.P7	Photocopy of the fixed deposit receipt of the Kumbakonam Mutual Benefit Funds standing in the name of Mr.S.Gopalakrishnan and Mrs.G.Visalakshi
Ex.P8	Photocopy of the special savings deposit passbook of the Kumbakonam Mutual Funds bearing account No.293 standing in the name of Mr.S.Gopalakrishnan and Mrs.G.Visalakshi
Ex.P9	Photocopy of the fixed deposit receipt of the Kumbakonam Mutual Benefit Funds bearing account No.1089 standing in the name of Mr.S.Gopalakrishnan and Mrs.G.Visalakshi
Ex.P10	Photocopy of the front page of Indian Bank passbook bearing account No.6207686886 of Mr.S.Gopalakrishnan/ Mrs.G.Visalakshi
Ex.P11	Photocopy of the front page of Indian Bank passbook bearing account No.449632622 of Mrs.G.Vijalakshi
Ex.P12	Photocopy of the sale deed dated 25.09.1985 executed in favour of Mr.S.Gopalakrishnan
Ex.P13	Consent affidavit given by the 1 st petitioner
Ex.P14	Consent affidavit given by the 2 nd petitioner
Ex.P15	Affidavit of assets showing the net value of estate as Rs.30,46,450/-
Ex.P16	Copy of paper publication effected in one issue of Tamil dailly "Makkal Kural" dated 27.02.2023
Ex.P17	Copy of paper publication effected in one issue of English daily



O.P.No.335 of 2022

<i>Exhibits</i>	<i>Documents</i>
	“Trinity Mirror” dated 07.03.2023

gba

28.04.2023

K.KUMARESH BABU,J.

gba

O.P.No.335 of 2022



WEB COPY



O.P.No.335 of 2022

28.04.2023