



O.P.No.465 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.465 of 2022

Nilima Mayur Sheth

... Petitioner

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 property and credits of the deceased may be granted to the petitioner as the beneficiary under the Will of the deceased.

For Petitioner : Ms.Swetha Sridhar

ORDER

The petitioner seeks Letters of Administration in respect of the property and credits held by Mayur H Sheth, who died intestate on 04.05.2021. The petitioner is the wife of the deceased Mayur H Sheth. The parents of the deceased Mayur H Sheth has pre-deceased him and the petitioner has no issues out of the wed lock.

2. The 1st petitioner has been examined as P.W.1. She has produced the death certificates of the deceased Mayur H Sheth and Geetaben (mother in-law of the petitioner), as Exs.P9 and P7. The legal heirship certificate of



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the deceased Mayur H Sheth, as Exs.P12. A perusal of Ex.P12 shows that the petitioner is the only surviving Class-I legal heir of the deceased Mayur H.Sheth. The petitioner has also filed and affidavit under Section 65 B of the Indian Evidence Act. 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 property and credits of the deceased Mayur H Sheth. 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.

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Index :Yes/No

Speaking order: Yes/ No

Neutral Citations: Yes/ No

Petitioner's witness:

P.W.1 - Mrs.Nilima Mayur Sheth



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Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the unregistered Deed of Assignment dated 02.05.1986
Ex.P2	Photocopy of the sale deed dated 17.12.1987 executed in favour of Mr.Mayur H.Seth registered as Doc.No.466 of 1988 before the SRO, Sowcarpet
Ex.P3	Photocopy of the sale deed dated 17.12.1987 executed in favour of Mr.Mayur H.Seth registered as Doc.No.467 of 1988 before the SRO, Sowcarpet
Ex.P4	Photocopy of the Sale Deed dated 23.09.1996 executed in favour of Mr.Mayur Sheth registered as Doc.No.1670 of 1996 before the SRO, Kodaikanal
Ex.P5	Photocopy of the unregistered Deed of Agreement dated May, 1999
Ex.P6	Photocopy of the legal heirship certificate of Mr.Himatlal N.Seth
Ex.P7	Photocopy of the death certificate of Geetaben
Ex.P8	Photocopy of the legal heirship certificate of Geetaben
Ex.P9	Photocopy of the family card of Mr.Mayur H.Sheth for the period 2005-2009
Ex.P10	Photocopy of the sale deed dated 31.03.2010 executed in favour of Mr.Mayur H.Seth
Ex.P11	Computer generated death certificate of Mr.Mayur H.Seth
Ex.P12	Computer generated legal heirship certificate of Mr.Mayur H.Seth
Ex.P13	Photocopy of the savings account passbook of UCO Bank, Sowcarpet Branch standing in the name of Mr.Himatlal N.Seth



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<i>Exhibits</i>	<i>Documents</i>
Ex.P14	Photocopy of the savings account passbook of Central Bank of India, Park Town Branch, standing in the name of Mr.Himatlal N.Seth
Ex.P15	Online printout statement of account of Central Bank of India from 01.04.2021 to 10.08.2022 in respect of the account held by Himatlal Co.
Ex.P16	Computer generated demat account as on 19.03.2022 in respect of the shares and securities held by Mr.Mayur H.Seth issued by the Stock Holding Corporation of India Limited
Ex.P17	Photocopy of the Aadhaar card of Mr.Mayur H.Seth
Ex.P18	Photocopy of the petitioner's Aadhaar card
Ex.P19	Petitioner's affidavit filed under Section 65B of Indian Evidence Act
Ex.P20	Affidavit of assets showing the net value of the estate as Rs.35,64,977/-
Ex.P21	Copy of paper publication effected in one issue of Tamil daily "Dina Kural" dated 26.11.2022.
Ex.P22	Copy of paper publication effected in one issue of English daily "Southern Mail" dated 05.12.2022

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