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O.P.No.482 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 12.07.2023

PRONOUNCED ON : 24.07.2023

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.482 of 2022

1.C.Mahalakshmi
2.P.Mohanalakshmi
3.C.Kothandaraman

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Petitioners

PRAYER: Original Petition filed under Sections 218 and 278 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 5 of Original Side Rules, prays that the Letters of Administration to the property and credit of the deceased have effect throughout the State of Tamil Nadu may be granted to the petitioners.

For Petitioners : Mr.A.Arokiadoss

ORDER

This Original Petition has been filed by the petitioners seeking grant of Letters of Administration in respect to the property and credits of the deceased C.Chinthamani, who died intestate on 19.01.2021.

2. Heard the learned counsel for the petitioners and perused the materials available on record.



3. The petitioners are the sisters and brother of the deceased C.Chinthamani; the said C.Chinthamani was working as an Assistant Professor at Ramanujan Computing Centre, CEG Campus, Anna University and he died while in service on 19.01.2021; he had purchased the 2nd item of the schedule mentioned property by virtue of a sale deed dated 27.08.2014 and also purchased the 3rd item of the schedule mentioned property by a sale deed dated 12.04.2017; his death cum retirement benefits is detailed under the 1st item of the schedule; the said C.Chinthamani did not marry during his lifetime, he had no issues and he died intestate; the petitioners who are sisters and brother as his legal heirs are entitled to inherit the same and hence they filed this Original Petition seeking grant of Letters of Administration.

4. The first petitioner has been examined as P.W.1. On the side of the petitioners, the following documents were marked as Ex.P.1 to Ex.P.15.

Ex.P1	Computer generated death certificate of Chinthamani
Ex.P2	Photocopy of the Relation Certificate of Chinthamani
Ex.P3	Computer generated Death Certificate of T.Saroja
Ex.P4	Computer generated Legal Heir Certificate of T.Saroja
Ex.P5	Photocopy of the Aadhar Card of C.Mahalakshmi, the 1 st petitioner herein



Ex.P6	Photocopy of the Aadhar Card of Mohanalakshmi Ponnaiyan, the 2 nd petitioner herein
Ex.P7	Photocopy of the Aadhar Card of C.Kothandaraman, the 3 rd petitioner herein
Ex.P8	Original CPS Accumulation letter dated 31.03.2022 issued by the Registrar, Anna University
Ex.P9	Photocopy of the Sale Deed dated 27.08.2014 executed in favour of C.Chinthamani
Ex.P10	Photocopy of the Sale Deed dated 12.04.2017 executed in favour of C.Chinthamani
Ex.P11	Affidavit of assets showing the net value of the estate as Rs.40,57,380/-
Ex.P12	Consent affidavit given by the 2 nd petitioner
Ex.P13	Consent affidavit given by the 3 rd petitioner
Ex.P14	Copy of the paper publication effected in one issue of Tamil daily “Makkal Kural” dated 22.12.2022
Ex.P15	Copy of the paper publication effected in one issue of English daily “Trinity Mirror” dated 30.12.2022

5. The paper publication effected in one issue of the Tamil and English dailies are marked as Ex.P.14 and Ex.P.15 and it did not attract any objectors. The consent affidavits given by the petitioners 2 and 3 are marked as Ex.P.12 and Ex.P.13. The death certificate of C.Chinthamani is marked as Ex.P.1. The parents of C.Chinthamani predeceased him. The



petitioners being the sisters and brother have come out with this Original
Petition seeking grant of Letters of Administration.

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6. The deceased C.Chinthamani died intestate without executing any Will. The second and third items of the property were purchased by the deceased C.Chinthamani and the first item is his accumulation death benefits. In the absence of any direct legal heir to late C.Chinthamani, the petitioners, who are his Class II legal heirs are entitled to inherit the same.

7. In view of the above, this Original Petition in O.P.No.482 of 2022 is **allowed** for granting Letters of Administration to the petitioners in respect to the property and credits of the deceased C.Chinthamani, who died on 19.01.2021. The petitioners 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 petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

24.07.2023

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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**Petitioner's witness:-**

P.W.1	C.Mahalakshmi
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Documents exhibited by the petitioner:-

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R.N.MANJULA, J.

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Pre-Delivery Order made in
O.P.No.482 of 2022

24.07.2023