

**O.P. No.600 of 2022****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.

2. This petition has been filed for grant of Letters Administration in respect of the estate of one Syed Afzal. The deceased Syed Afzal died intestate on 16.03.2021. The petitioners and the respondents are the surviving legal heirs of the deceased. The deceased died intestate and though due and diligent search has been made for a Will, nothing has been found. The amount of assets which is likely to come to the parties does not exceed in the aggregate sum of Rs.5,00,00,000/- and the net amount of the said assets after deducting all the items, which the parties are by law to deduct is only of the value of Rs.4,00,00,000/-. The parties undertakes to duly administer the property and credits of the deceased Syed Afzal 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 them and also



render a true account of the said property and credits within one year from the said date.

3. The third petitioner has been examined as P.W.1 and Exs.P.1 to P.10 are marked. 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 as well as the respondents in respect of the estate of the deceased Syed Afzal. Ex.P.6 is the copy of the death certificate of Mr.Syed Afzal. Ex.P.6 is filed to prove Syed Afzal died on 16.03.2021. Ex.P8 is the affidavit of assets showing the net value of estate as Rs.4,00,00,000/-. Ex.P10 is the paper publication, but none have objected for the same.

4. Considering the evidence of PW1 and the parties are the surviving sisters to succeed the estate of the deceased as per the Muslim law, I am of the view that the petitioners as well as the respondents have proved their claim and hence, the petitioners and the respondents are entitled for the issuance of Letters of Administration in their favour.



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

16.10.2023

dhk



WEB COPY



4

N.SATHISH KUMAR, J.

dhk

O.P. No.600 of 2022

16.10.2023