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O.P.No.393 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.393 of 2022

Usha Gunasekaran

... Petitioner

Prayer: Original Petition filed for issuance of Letters of Administration under Section 218 and 278 of the Indian Succession Act XXXIX of 1925 r/w XXV Rule 5 of the Original Side Rules, petitioner prays that Letters of Administration to be granted to the property and credits of the deceased.

For Petitioner : Ms.Vedavallikumar

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the property and credits held by R.Gunasekaran, who died intestate on 07.05.2021. The petitioner is the wife of the deceased R.Gunasekaran. 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 the, petitioner is the only surviving Class-I legal heir of the deceased, as they have no issues out of the wedlock. The parents of the



O.P.No.393 of 2022

deceased has pre-deceased the petitioner's husband. The petitioner is examined as P.W.1. She has produced the death certificate of the deceased R.Gunasekaran as Ex.P22. The legal heirship certificate of the deceased R.Gunasekaran is produced as Ex.P23. A perusal of Ex.P23 shows that the petitioner is the only Class-I legal heir. A paper publication has been made and any objections have not been received.

3. In view of the above said 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 R.Gunasekaran. 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.

02.06.2023

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Index : Yes/No

Internet: Yes/ No

Petitioner's witness:

P.W.1- Mrs.Usha Gunasekaran

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The photocopy of the Sale Deed dated 05.06.1999 executed in favour of R.Gunasekaran



WEB COPY



O.P.No.393 of 2022

<i>Exhibits</i>	<i>Documents</i>
Ex.P2	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.1
Ex.P3	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.4
Ex.P4	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.17
Ex.P5	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.9
Ex.P6	The photocopy of the Sale Deed dated 29.10.1999 executed in favour of R.Gunasekaran
Ex.P7	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.24
Ex.P8	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.32
Ex.P9	The photocopy of the Sale Deed dated 07.04.2003 executed in favour of R.Gunasekaran and Usha Gunesakaran
Ex.P10	The online print out of statement of holding issued by IIFL Securities as on 31.03.2022 in respect of shares and securities held by R.Gunasekaran
Ex.P11	(series 5 sheets) online print out of saving account balance as on 31.03.2022 bearing account No.07951600000302 given by HDFC Bank, Perungudi Branch
Ex.P12	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.8
Ex.P13	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.22
Ex.P14	The photocopy of the Share Certificate in Magneto



<i>Exhibits</i>	<i>Documents</i>
	Dynamics Private Limited held by R.Gunasekaran bearing certificate No.23
Ex.P15	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.42
Ex.P16	The photocopy of the Share Certificate in Magneto Dynamics Private Limited held by R.Gunasekaran bearing certificate No.45
Ex.P17	The online print out of statement of holding as on 06.04.2022 in respect of HDFC Mutual Fund account bearing account No.000000191983
Ex.P18	(series 2 Nos.) the online print out of savings account statement in HDFC Bank Perungudi Branch account No.50100104022410 held by R.Gunasekaran
Ex.P19	The online print out of shares held by R.Gunasekaran in Motilal Oswal
Ex.P20	The online print out of post office RD bearing No.4664118934 held by R.Gunasekaran
Ex.P21	The online print out of post office RD bearing No.4797892619 held by R.Gunasekaran
Ex.P22	The computer generated death certificate of R.Gunasekaran
Ex.P23	The computer generated legal heirship certificate of R.Gunasekaran
Ex.P24	(series 2 Nos.) the online print out of statement of holding as on 11.04.2022 issued by HDFC Bank limited in respect of shares and securities held by R.Gunasekaran
Ex.P25	The affidavit of assets showing the net value of estate as Rs.5,23,77,391.78/-
Ex.P26	The copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 12.02.2023
Ex.P27	The copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 03.02.2023



O.P.No.393 of 2022

02.06.2023

K.KUMARESH BABU,J.

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