



O.P. No.332 of 2023

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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 grant of Letters of Administration.

2. This petition has been filed for grant of Letters Administration in favour of the petitioner in respect of the property allotted to the father of petitioner as per the Will dated 18.03.1983. The Will dated 18.03.1983 has been probated. It is stated in the petition that Mr.P.Mahendramani died intestate on 16.03.2011 and the petitioner's mother and grandparents predeceased her father and hence, there is no other legal heir to succeed to the property of the petitioner's father. It is further stated that **though due and diligent search has been made for a Will, nothing has been found.** There is no other kith or kin available than the petitioner. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.40,00,000/- and the net amount of the said assets after



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deducting all the items, of which petitioner is by law allowed to deduct is only of the value of Rs.39,90,000/-. The petitioner undertakes to duly administer the property and credits of the deceased Mr.P.Mahendramani 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 the petitioner and also render a true account of the said property and credits within one year from the said date.

3. The petitioner examined herself as P.W.1. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in her favour in respect of the estate of the deceased Mr.P.Mahendramani. Ex.P2 to P4 and Exs.P7 to P9 were filed to prove the title to the property. Ex.P6 is the copy of the death certificate of Mr.P.Mahendramani. Ex.P.6 has been filed to prove that Mr.P.Mahendramani died on 16.03.2011. Ex.P.11 is the affidavit of assets showing the net value of the estate as Rs.39,90,000/-. Ex.P.12 is the paper publications, but none have objected for the same.



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4. In view of the above facts, I am of the view that the petitioner has proved her claim and hence, the petitioner is entitled for the issuance of Letters of Administration in her favour.

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

06.10.2023

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