



O.P.No.25 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**  
**O.P.No.25 of 2021**

Jacqueline Allenby David

... Petitioner

Vs

1.Manohara Ramani Kasthuri Bai  
2.Ranjini Kumar  
3.Winslow Allenby

... Respondents

**PRAYER:** Original Petition filed for issuance of Letters of Administration under Section 218 & 278 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.

For Petitioner : Mr.S.Kalyanaraman

For Respondents : No appearance

**ORDER**

This Original Petition has been filed for issuance of Letters of Administration in respect of the property and credits held by S.V.P.Rajkumar, who died intestate on 11.07.2019. The petitioner is the niece, who is also the daughter of the deceased sister Saroja Sarasa Rani Allenby David, the first and second respondents are the sisters of the



O.P.No.25 of 2021

deceased S.V.P.Rajkumar and the third respondent is the nephew, who is also the brother of the petitioner. 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 is examined as P.W.1. She has produced the death certificate of the deceased S.V.P.Rajkumar, as Ex.P1, and the legal heirship certificate of the deceased Saroja Sarasa Rani (sister of the deceased), as Ex.P2. A perusal of Ex.P2 shows that the petitioner and third respondent are the Class-I legal heirs of the deceased sister Saroja Sarasa Rani. The respondents one to three have given their consent to grant Letters of Administration in favour of the petitioner, and their consent affidavits are marked, as Exs.P4 to P6. 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 S.V.P.Rajkumar. 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)



O.P.No.25 of 2021

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.

24.04.2023

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Index :Yes/No

Speaking order: Yes/ No

Neutral Citations: Yes/ No

**Petitioner's witness:**

P.W.1 - Mrs.Jacqueline Allenby David

**Documents exhibited by the petitioner:**

| <i><b>Exhibits</b></i> | <i><b>Documents</b></i>                                                                                                                 |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P1                  | Computer generated death certificate of S.V.P.Rajkumar                                                                                  |
| Ex.P2                  | Photocopy of the legal heirship certificate of Saroja Sarasarani                                                                        |
| Ex.P3                  | Certified copy of the Sale Deed dated 27.02.2002 (this document is marked by virtue of the order dated 10.10.2022 in A.No.4479 of 2022) |
| Ex.P4                  | Consent affidavit of the 1 <sup>st</sup> respondent                                                                                     |
| Ex.P5                  | Consent affidavit of the 2 <sup>nd</sup> respondent                                                                                     |
| Ex.P6                  | Consent affidavit of the 3 <sup>rd</sup> respondent                                                                                     |
| Ex.P7                  | Affidavit of assets showing the net value of the estate as Rs.43,00,000/-                                                               |
| Ex.P8                  | Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.06.2022                                          |
| Ex.P9                  | Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 09.06.2022                                      |



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O.P.No.25 of 2021

**24.04.2023**

**K.KUMARESH BABU,J.**

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O.P.No.25 of 2021

**24.04.2023**