



O.P.No.547 of 2022

K.KUMARESH BABU,J.

The above captioned Original Petition has been listed at the request of the learned counsel appearing for the petitioner.

2.Learned counsel appearing for the petitioner would submit that the petitioner is facing difficulties in exercising his rights on the certificate of Letters of Administration issued by this Court as the schedule of the property had not been included in the order dated 24.04.2023.

3.On a perusal of the Letters of Administration granted by this Court, I am of the view that if the order dated 24.04.2023 can be modified by including the term “petition mentioned schedule property and credits”, so the difficulties faced by the petitioner will be resolved.

4.In such a view of the matter, in the 3rd line of Paragraph No.3 after the word “in respect of” the following shall be included :

“petition mentioned schedule property and credits”

5.Registry is directed to issue a fresh order copy by 30.06.2023, adding the same in the order, dated 24.04.2023.



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.547 of 2022

C.K.Muralidhar

... Petitioner

Vs

K.C.Sukumar

... Respondent

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 petitioner and respondent of the schedule mentioned property and credits of the deceased Late.Mr.C.V.Krishnamurthy and to have effect throughout the State of Tamil Nadu may be granted to the petitioner and respondent for whole of the schedule mentioned property.

For Petitioner : Ms.Vedhashri Narasa

For Respondent : Mr.S.Ganesh

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the property and credits held by

<https://www.mhc.tn.gov.in/judis>



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C.V.Krishnamurthy, who died intestate on 19.07.2015. The petitioner and the respondent are the sons of the deceased C.V.Krishnamurthy. 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. He has produced the death certificates of the deceased C.V.Krishnamurthy and C.Subbamma (wife of C.Veera Raghavu Chetty), as Exs.P8 and P4, and the legal heirship certificate of the deceased C.V.Krishnamurthy, as Ex.P9. A perusal of Ex.P9 shows that the petitioner and the respondent are the Class-I legal heirs of the deceased C.V.Krishnamurthy. The respondent has been examined as R.W.1 and he has no objection for grant of Letters of Administration in favour of the petitioner, for administering the scheduled mentioned property by the petitioner and respondent respectively of their each half share in the schedule mentioned property, and to that effect he has filed his proof affidavit. 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 and respondent, in respect of the property and credits held by C.V.Krishnamurthy.

The petitioner and respondent are 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 and respondent are 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 - Mr.C.K.Muralidhar

R.W.1 – Mr.K.C.Sukumar

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 12.12.1925 executed in favour of Mrs.C.Subbamma
Ex.P2	Photocopy of the patta an extract from the permanent register dated 28.04.1927 standing in the name of Mrs.C.Subbamma
Ex.P3	Computer generated death certificate of Mrs.Chandra Reka
Ex.P4	Computer generated death certificate of Mrs.C.Subbamma
Ex.P5	Computer generated death certificate of Mr.C.Veera Raghavu Chetty
Ex.P6	Photocopy of the patta, an extract dated 20.03.1965 standing in the name of Mr.Krishnamurthy survey plan
Ex.P7	Photocopy of the death certificate of Sammanthakamani
Ex.P8	Computer generated death certificate of Mr.C.V.Krishnamurthy
Ex.P9	Photocopy of the legal heir certificate of Mr.C.V.Krishnamurthy



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<i>Exhibits</i>	<i>Documents</i>
Ex.P10	Downloaded copy of the patta standing in the name of Mr.C.K.Muralidhar and Mr.K.C.Sukumar
Ex.P11	Family tree of the petitioner and respondent
Ex.P12	Affidavit of assets showing the net value of the estate as Rs.1,00,01,000/-
Ex.P13	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 03.02.2023
Ex.P14	Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 09.02.2023

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