



O.P.No.565 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.565 of 2022

1.R.Govindammal
2.R.Gunasekaran
3.R.Lavanya

... Petitioners

PRAYER: Original Petition filed under Sections 218 and 278 of the Indian Succession Act, 1925, Read With Order XXV Rule 5 of the O.S.Rules, 1955, pleased to grant Letters of Administration to the property and credits of the deceased may be granted to them to having effect limited to the State of Tamil Nadu.

For Petitioners : Ms.G.Gokulavani

ORDER

The petitioners seek the grant of letters of administration in respect of the estate of the late K.Ramakrishnan.



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2. The petitioners assert that the first petitioner was the wife of K.Ramakrishnan and the second and third petitioners were his son and daughter, respectively. The petitioners state that he died on 27.05.2020 and ordinarily resided at the address specified in paragraph 2 of the petition, which is within the jurisdiction of this Court. They further state that in spite of a diligent search, no Will was found.

3. In order to establish entitlement to the relief claimed, the petitioners adduced evidence by examining the second petitioner as P.W.1. In course of the examination in chief of P.W.1, the 7 documents listed at the foot of this order were exhibited as Exs.P1 to P7. The death certificate of K.Ramakrishnan (Ex.P1) discloses that he died on 27.05.2020. The address of the deceased is specified therein and such address is within the jurisdiction of this Court. The legal heirship certificate in respect of K.Ramakrishnan (Ex.P3) discloses the names of the three petitioners. It also discloses the name of a pre-deceased son, R.Raja, including that he died unmarried. In paragraph 4 of the petition, the petitioners stated that the mother and father of the deceased pre-deceased him. As evidence of title of



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the deceased to the debts, Ex.P4 has been placed on record. Paper publications were effected (Exs.P6 and P7).

4. Based on the assertions in the petition and the evidence adduced in support thereof, the petitioners are entitled to the relief claimed.

5. For reasons set out above, O.P.No.565 of 2022 is allowed by directing that letters of administration be issued to the petitioners in respect of the assets described in the affidavit of assets. The petitioners shall 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 petitioners shall provide an inventory of assets and statement of accounts within a period of *six months* and *one year*, respectively.

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Index : Yes / No

Internet : Yes / No



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Petitioner's witness:

P.W.1 - Mr.R.Gunasekaran

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of K.Ramakrishnan.
Ex.P2	Computer generated death certificate of R.Raja.
Ex.P3	Computer generated Legal Heirship certificate of K.Ramakrishnan.
Ex.P4	Original letter dated 03.08.2022 addressed to the second petitioner by the Branch Manager, State Bank of India, Ekkaduthangal Branch.
Ex.P5	Affidavit of assets showing the net value of the estate as Rs.19,65,552/-.
Ex.P6	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 13.12.2022.
Ex.P7	Copy of paper publication effected in one issue of English daly "Trinity Mirror" dated 20.12.2022.



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