



O.P.No.560 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.560 of 2022

1.R.Indira
2.Janani Murthy
3.Saketh Murthy
Petitioners

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PRAYER: Original Petition filed under Sections 218 and 278 of Indian Succession Act Read With Order XXV Rule 5 of O.S.Rules, pleased to that the letters of administration annexed to the property and credits of deceased K.P.Narayana Murthy to have effect throughout the whole of India may be granted to the second and third petitioners herein.

For Petitioners : Mrs.Jayasudha Suryanarayanan



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ORDER

The petitioners seek the grant of letters of administration in respect of the estate of the late K.P.Narayana Murthy.

2. The petitioners assert that the late K.P.Narayana Murthy was the husband of the first petitioner and father of the second and third petitioners. It is further stated that the mother of the deceased pre-deceased him and that the petitioners are the only surviving class-I legal heirs. The petitioners also state that the deceased resided at the address specified in paragraph 2 of the petition, which is within the jurisdiction of this Court. In spite of a diligent search for a Will, it is stated that no Will was found.

3. In order to establish the petitioners' entitlement to the relief claimed, the petitioners adduced evidence by examining the first petitioner as P.W.1. In course of the examination in chief of P.W.1, the 15 documents listed at the foot of this order were exhibited as Exs.P1 to P15. The death certificate



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of the late Mr.K.P.Narayana Murthy (Ex.P4) discloses that he died on 15.07.2021 in Washington State, U.S.A. It also discloses his permanent address, which is within the jurisdiction of this Court. The legal heirship certificate in respect of the late Mr.K.P.Narayana Murthy (Ex.P5) discloses the names of the three petitioners herein as the surviving class-I legal heirs. The death certificate of the mother of Mr.K.P.Narayana Murthy discloses that she died on 02.07.2017. Documents relating to the title of the deceased over the assets described in the schedule to the petition are on record as Exs.P6 to P11. Paper publications were effected (Exs.P14 and 15).

4. The first petitioner has consented to the issuance of letters of administration only to the second and third petitioners by making a categorical assertion in paragraph 6 of the proof affidavit and in the petition. On the basis of the assertions in the petition and the evidence recorded in support thereof, the petitioners are entitled to the relief claimed.

5. Accordingly, O.P.No.560 of 2022 is allowed by granting letters of administration to the second and third petitioners in respect of the assets



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described in the schedule to the petition. The second and third petitioners shall execute a security bond for a sum of Rs.25,000/- in the name of the Assistant Registrar, O.S - II. The second and third petitioners shall also provide an inventory of assets and file statement of accounts within a period of *six months* and *one year*, respectively.

12.01.2023

rna

Index : Yes / No

Internet : Yes / No

Petitioner's witness:

P.W.1 - Mrs.R.Indira

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mrs.K.A.Ponnammal.
Ex.P2	Photocopy of the registered sale deed dated 13.12.1994 (Compared with the original).
Ex.P3	Photocopy of the registered sale deed dated 03.02.2009 (Compared with the original).
Ex.P4	Original death certificate of Mr.Kalpathy Parameswaran Narayana Murthy
Ex.P5	Computer generated Legal heirship certificate of Mr.K.P.Narayana Murthy



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<i>Exhibits</i>	<i>Documents</i>
Ex.P6	Photocopy of the property tax demand card standing in the name of Mr.K.P.Narayana Murthy (Compared with the original).
Ex.P7	Photocopy of the Water & Sewerage Tax-Cum-Charges Card standing in the name of Mr.K.P.Narayana Murthy (Compared with the original).
Ex.P8	Online printout of the electricity payment details in respect of first item property.
Ex.P9	Photocopy of the proceedings of the Deputy Commissioner, Serilingapally, Ranga Reddy District dated 05.02.2010 in respect of mutation of title for second item property (Compared with the original).
Ex.P10	Computer generated property tax receipt dated 13.10.2020.
Ex.P11	Photocopy of the electricity bill dated 07.09.2010 (Compared with the original).
Ex.P12	Photocopy of my Aadhaar Card (Compared with the original).
Ex.P13	Affidavit of assets showing the net value of the estate as Rs.4,00,00,000/-.
Ex.P14	Copy of paper publication effected in one issue of Tamil daily "Dina Kural" dated 29.11.2022.
Ex.P15	Copy of paper publication effected in one issue of English daily "Southern Mail" dated 07.12.2022.



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