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O.P.No.667 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.02.2023**

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THE HONOURABLE **MR.JUSTICE SETHILKUMAR RAMAMOORTHY**

O.P.No.667 of 2022

1.N.Vasanth
D/o.Late L.S.Natarajan
Flat A4, Sampurna,
No.3, Ramanujam St.,
Parthasarathy Puram,
T.Nagar, Chennai-600 017.

2.Dr.L.N.Sekhar,
S/o.Late. L.S.Natarajan,
6819, 54th Avenue,
Seattle,
WA.98115-7752.

3.Nalini Vasudevan,
D/o.Late. L.S.Natarajan,
Flat No.18, Plot No.15,
Kaveri, Sector – 14,
Near Gav Devi Mandir,
Vashi, Thane,
Maharashtra 400 703.

.. Petitioners

PRAYER: Original Petition filed under Sections 218 and 278 of the Indian Succession Act XXXIX of 1925 and under Order XXV Rule 5 of O.S.Rules,



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prays that the Letters of Administration to the property and credits of the deceased may be granted in favour of N.Vasantha the First Petitioner, Dr.L.N.Sekhar, the Second Petitioner and Nalini Vasudevan, the Third Petitioner herein as surviving legal heirs of the deceased with power to have effect limited to the State of Tamil Nadu.

For Petitioners : Ms.V.J.Latha
Ms.B.Haripriya

ORDER

The petitioners seek the grant of letters of administration in respect of the estate of their late brother, Mohan Laligam.

2. The petitioners assert that their brother ordinarily resided at the address specified in paragraph 2 of the petition, which is within the jurisdiction of this Court, and died intestate on 02.12.2021. The petitioners further state that no Will was found despite a diligent search for the same. The petitioners assert that their late brother married on 06.02.2005 but the marriage was dissolved by a divorce decree issued in the year 2010. It is further asserted that he did not have children. The petitioners state that their father died on 26.12.2003 and their mother died on 11.02.2016. The two



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sisters and one brother of the deceased are the petitioners herein.

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3. The petitioners adduced evidence by examining the first petitioner as PW1. In course of examination-in-chief of PW1, the 8 documents listed at the foot of this order were exhibited as Exs.P1 to P8. The death certificate of Mr.Mohan Laligam discloses that he died on 02.12.2021. It also discloses his address, which is within the jurisdiction of this Court. The death certificate of the petitioners' mother, Mrs.K.R.Janaki (Ex.P2), discloses that she died on 11.02.2016. The certified copy of the order dated 04.05.2010 in F.C.O.P.No.3524 of 2009 (Ex.P3) discloses that the marriage between the petitioners' brother and Mayury Vakul Shreevasan was dissolved by a decree of divorce by mutual consent on 04.05.2010. Paper publications were effected (Ex.P6 & P7). As evidence of title of the deceased to the relevant immovable asset, the settlement deed dated 06.01.2010 is placed on record (Ex.P8).

4. Based on the assertions in the petition and the evidence recorded by the petitioners, the petitioners are entitled to the relief claimed.



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5. Accordingly, O.P.No.667 of 2022 is allowed by granting letters of administration to the petitioners in respect of the estate of the late Mohan Laligam N. 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 – Ms.N.Vasantha

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of Mr.Natarajan.
Ex.P2	The computer generated death certificate of Mrs.K.R.Janaki.
Ex.P3	The certified copy of the order dated 04.05.2010 in



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<i>Exhibits</i>	<i>Documents</i>
	F.C.O.P.no.3524 of 2009 passed by the Family Court, Chennai.
Ex.P4	The computer generated death certificate of Mr.Mohan Laligam Natarajan.
Ex.P5	The affidavit of assets showing the net value of the estate as Rs.1,50,00,000/-.
Ex.P6	The copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 01.12.2022.
Ex.P7	The copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 08.12.2022.
Ex.P8	The photocopy of the Settlement Deed dated 06.01.2010 executed by Mrs.L.N.Janaki (Compared with the original).

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SENTHILKUMAR RAMAMOORTHY,J

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