



O.P.NO.832 OF 2019

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N.SATHISH KUMAR, J.

This Original Petition has been filed under Sections 218 and 278 of the Indian Succession Act read with Order XXV Rule 5 of the Original Side Rules, seeking to grant Letters of Administration in respect of the estate of the deceased M.Loganathan.

2.The petitioner is the daughter of the deceased M.Loganathan and the respondents are the children, daughter-in-law and grandchildren of the deceased. The deceased M.Loganathan died on 10.11.1979. The deceased died intestate and though due and diligent search has been made for a Will, nothing has been found. Hence, the petitioner has filed this Original Petition seeking to grant Letters of Administration in her favour.

3.On the side of the petitioner, petitioner examined herself as P.W.1 and marked Exs.P.1 to Ex.P.13.



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4.The petitioner - P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in her favour in respect of the estate of the deceased M.Loganathan. Ex.P.1 is filed to prove the title of the property; Ex-P.2 is the legal heirship certificate of the deceased; Ex-P.3 is the death certificate of Mrs.L.Radha; Ex-P.4 is the preliminary decree dated 07.06.2006 passed in O.S.No.944 of 1998 by the XI Assistant City Civil Court, Chennai; Ex-P.5 is the final decree dated 11.12.2007 passed in O.S.No.944 of 1998; Exs-P.6 to 10 are the death certificate and legal heirship certificate of the children of the deceased; Ex-P.11 is the affidavit of assets showing the net value of the estate as Rs.75,00,000/-; Exs-P.12 and P.13 are the paper publications and none have objected for the same. All the respondents have given their consent affidavits.

5.In view of the above facts, I am of the view that the petitioner has proved her claim and hence, the petitioner is entitled for the issuance of Letters of Administration in her favour.



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6. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is also directed to execute a security bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras. The petitioner is further directed to render true and correct accounts once in a year.

24.11.2023

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