



OP.No.141 of 2023

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R.N.MANJULA, J.

On 13.09.2023 this Court has passed the following order:

“This matter was listed under the caption 'for being mentioned' today, at the instance of the learned counsel for the petitioner.

2. When the matter was taken up today, the learned counsel for the petitioner submitted that the second petitioner, who is the sister of the petitioners 1 and 3, is suffering from cancer, and she has also undergone surgery, hence she is not in a position to travel long distances and execute the bond as ordered by this Court in its dated 02.08.2023 made in OP.No.141 of 2023.

3. On perusal of the records, it is seen that the 2nd petitioner has not given any consent affidavit, by giving her consent in favour of any other petitioners to execute a bond in accordance with the court order dated 02.08.2023 in OP.No.141 of 2023.

4. At this juncture, the learned counsel for the petitioner submitted that he would file a consent affidavit in due course.

5. Considering his submission this matter is ordered to be listed on 19.09.2023.”



OP.No.141 of 2023

WEB COPY

2. Today, when the matter was taken up for hearing, a consent affidavit of the 2nd petitioner was filed, expressing her consent in favour of the 1st petitioner to execute a security bond on her behalf also. Hence, the 1st petitioner is permitted to execute a bond on behalf of the 2nd petitioner.

3. The Registry is directed to issue the order copy in OP.NO.141 of 2023, dated 02.08.2023 for seeking the grant of Letters of Administration to the petitioners today.

19.09.2023

jrs

Internet: Yes/No



OP.No.141 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.08.2023**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.141 of 2023

1.A.Harnath
2.P.Jayashree
3.Vimala.B

... Petitioners

PRAYER : Original Petition is filed under Sections 218 & 278 of the Indian Succession Act, 1925 r/w. Order XXV, Rule 6 of Original Side Rules seeking for grant of Letters of Administration to the properties and credits of the deceased Late.A.Surya Narayana, having effect limited to the State of Tamil Nadu.

For Petitioner : Mr.T.K.S.Gandhi

ORDER

This Original Petition has been filed under Sections 218 & 278 of the Indian Succession Act, 1925 r/s Order XXV, Rule-5 of Original Side Rules seeking for grant of Letters of Administration annexed of the properties and credits of assets of the deceased Late.A.Surya Narayana, having effect limited to the State of Tamil Nadu.



OP.No.141 of 2023

WEB COPY

2. The averments in the petition are as follows:-

Mr.A.Surya Narayana died intestate on 10.01.2022 at No.85/12, Pantheon Road, Srirangam Avenue, Egmore, Chennai. The petitioners are the brother and sisters of the deceased A.Surya Narayana. The wife and son of the deceased had predeceased him. Therefore, the petitioners became the class – II legal heirs of the deceased. Except the petitioners, there is no other person to succeed to the estate of the deceased. The amount of assets which are likely to be inherited by the petitioners does not exceed in the aggregate the sum of Rs.4,27,28,044/- and the net amount of the said assets, after deducting all items which the petitioners are allowed to deduct is Rs.4,27,28,044/-.

3. The first petitioner examined himself as P.W.1 and the following documents were marked as Exhibits P1 to P14.

Exhibits	Documents
P1	The photocopy of the sale deed dated 18.06.1973 executed in favour of Mr.A.Suryanarayana.
P2	The photocopy of the sale deed dated 07.04.1993 executed in favour of Mr.A.Suryanarayana.
P3	The photocopy of the sale deed dated 23.06.1993 executed in favour of Mr.A.Suryanarayana.



OP.No.141 of 2023

Exhibits	Documents
P4	The photocopy of the sale deed dated 22.10.1993 executed in favour of Mr.A.Suryanarayana.
P5	The photocopy of the sale deed dated 24.04.1996 executed in favour of Mr.A.Suryanarayana.
P6	The computer generated death certificate of Mrs.S.V.Vasundhara.
P7	The photocopy of the death certificate of Mr.S.Akkul.
P8	The computer generated death certificate of Mr.Attaluri Suryanarayana.
P9	The photocopy of the first petitioner's Aadhar Card.
P10	The photocopy of the Aadhar Card of the 2 nd petitioner.
P11	The photocopy of the Aadhar Card of the 3 rd petitioner.
P12	The affidavit of assets showing the net value of the estate of Rs.4,27,28,044/-.
P13	The copy of the paper publication effected in one issue of Tamil daily “Makkal Kural” dated 26.05.2023.
P14	The copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 03.06.2023.

4. The death certificate of Mr.A.Suryanarayana was produced as Ex.P8. Exs.P6 & P7 are the death certificates of the wife and son of Mr.A.Suryanarayana. The paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 26.05.2023 and in one issue of English Daily “Trinity Mirror” dated 03.06.2023 did not attract any objectors.

5. Hence, this Original Petition is allowed by granting Letters of Administration annexed of the properties and credits of assets of the



OP.No.141 of 2023

WEB COPY

deceased Late.A.Surya Narayana to the petitioners. Such Letters of Administration shall have effect throughout the State of Tamilnadu. The petitioners 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 petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

02.08.2023

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OP.No.141 of 2023

APPENDIX

Petitioners' witness:

P.W.1 – Mr.A.Harnath

Documents marked:

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