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O.P.No.180 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2023

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.180 of 2022

1.J.Sarah Athashta
2.J.Ruban Manickaraj

... Petitioners

Vs

J.Roselin

... Respondent

PRAYER: Original Petition filed for issuance of Letters of Administration under Section 219 & 278 of the Indian Succession Act, r/w.XXV Rule 5 of the Original Side Rules, prays that the Letters of Administration to the without the Will annexed of her property and credits of the deceased.

For Petitioners : Mr.R.Rajesh Vivekananthan

For Respondent : No appearance

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the property and credits held by Hannee Catherine Snehalatha, who died intestate on 17.12.2014. The petitioners and the respondents are the in-laws of the deceased Hannee Catherine Snehalatha. The petitioners seek issuance of Letters of Administration in respect of the property and credits situate within the jurisdiction of this Court.



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2. The petitioners submits that the deceased Hannee Catherine Snehalatha was married to their brother late Paul Jeyakaran and he died on 16.09.2003, leaving behind his mother and the deceased Hannee Catherine Snehalatha and the petitioners and respondent as his legal heirs. The mother in-law of the deceased, who is also the mother of the petitioners and the respondent also died on 16.03.2011. The petitioners further asserts that the parents of the deceased Hannee Catherine Snehalatha, pre-deceased her and she has no siblings, and she has no issues out of the wedlock.

3.The second petitioner is examined as P.W.1. He has produced the death certificates of the deceased Hannee Catherine Snehalatha, Paul Jeyakaran and Lucy Jacob (mother in-law of the deceased), as Exs.P11, P4 and P9. The legal heirship certificate of Lucy Jacob is produced as Ex.P10. A perusal of Ex.P10 shows that the petitioners, respondent and the deceased Paul Jeyakaran are the legal heirs of the deceased Lucy Jacob. Despite the notice served which had duly received by the respondent, none has appeared on his behalf either in person or through counsel and any objections was not raised for the grant of Letters of Administration in favour of the petitioners. Pursuant to the general publication made any objections have not been received from the respondent



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herein or from any other person.

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4. In view of the above said facts and evidence, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioners, in respect of the property and credits held by Hannee Catherine Snehalatha. 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.

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Index :Yes/No

Speaking order: Yes/ No

Neutral Citations: Yes/ No

Petitioners witness:

P.W.1 - Mr.J.Ruban Manickaraj

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 31.01.1990 executed in favour of Mr.J.Paul Jayakaran
Ex.P2	Photocopy of the sale deed dated 02.12.1991 executed in favour of Mr.J.Paul Jayakaran



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<i>Exhibits</i>	<i>Documents</i>
Ex.P3	Photocopy of the sale deed dated 31.12.1993 executed in favour of Mr.J.Paul Jayakaran
Ex.P4	Photocopy of the death certificate of Mr.J.Paul Jayakaran
Ex.P5	Photocopy of the General Power of Attorney dated 21.12.2005 executed in favour of Mr.J.Ruban Manickaraj
Ex.P6	Photocopy of the General Power of Attorney dated 01.03.2006 executed in favour of Mr.J.Ruban Manickaraj
Ex.P7	Photocopy of the General Power of Attorney dated 01.03.2006 executed in favour of Mr.J.Ruban Manickaraj
Ex.P8	Photocopy of the General Power of Attorney dated 01.03.2006 executed in favour of Mr.J.Ruban Manickaraj
Ex.P9	Photocopy of the death certificate of Mrs.Lucy Jacob
Ex.P10	Photocopy of the legal heirship certificate of Mrs.Lucy Jacob
Ex.P11	Computer generated death certificate of Hannee Catherine Snehalatha
Ex.P12	Photocopy of 2 nd petitioner's Aadhar card
Ex.P13	Photocopy of 2 nd petitioner's family card for the period 2005-2009
Ex.P14	Affidavit of assets showing the net value of estate as Rs.1,10,99,547/-
Ex.P15	Paper publication effected in one issue of Tamil daily "Makkal Kural" dated 13.12.2022
Ex.P16	Paper publication effected in one issue of English daily "Trinity Mirror" dated 21.12.2022
Ex.P17	Photocopy of the legal heirship certificate of Mr.J.Paul Jayakaran
Ex.P18	Photocopy of the sale deed dated 08.03.1988 executed in favour of Mr.J.Paul Jayakaran



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