

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

JUDGES ORDER NO.114 OF 2024
IN
TESTAMENTARY PETITION NO. 3482 OF 2022

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
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Date: 2024.08.21
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Arvind Yellappan Naidu

...Petitioner

vs.

Yellappan Munswant Naidu

@ Allapan N. Naidu

...Deceased

Mr. Prabhu Velar i/b. Seema Hunnurkar & Associates, for the
Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : AUGUST 20, 2024

P.C.:

1. Heard the learned counsel for the petitioner.
2. This Judge's Order is taken out seeking permission to sell the tenancy rights in respect of an immovable property consisting of Room No. 4220, Chawl No. 352, Group No. 4, Tagore Nagar, Vikhroli (E), Mumbai- 83, the property of Yellappan Munswant Naidu in respect of which the Letters of Administration were granted to the petitioner by an order dated 31st August, 2023.
3. The petitioner is the son of the deceased. In the affidavit in support of the Judge's Order, the petitioner has affirmed that the petitioner has entered into an Agreement for Sale of the subject premises with Naeem Tahir Ansari for a consideration of Rs. 30 lakhs. A copy of the Agreement for Sale is annexed at Exhibit C to

the petition. It is affirmed that Ms. Chitra Parikshit Naidu, Ms. Yasodha Srinivasan, Ms. Suvarnalata Yallappan Naidu and Jayalaxmi Krishna Poojari, the sisters of the petitioner/ daughters of the deceased have executed a registered Release Deed thereby releasing their share in the subject premises in favour of the petitioner. A copy of the registered Release Deed is annexed at Exhibit D to the petition. It appears that the Release Deed was executed before the grant of Letters of Administration.

4. In these circumstances, I do not find any impediment for allowing the petitioner to sell the subject premises.

5. The Judge's Order is accepted and signed separately.

(N. J. JAMADAR, J.)