



O.P.No.177 of 2022

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N.SATHISH KUMAR, J.

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of the Original Side Rules, seeking to grant of Letters of Administration.

2. This petition has been filed for grant of Letters Administration in respect of the estate of one G.Munivel Chetty. The petitioners and the respondents 1 to 5 are the sons and daughters of the testator respectively and the respondents 6 to 8 are the legal heirs of one of the pre-deceased daughter of the testator.

3. It is the case of the petitioners that the testator left the registered Will dated 14.04.1988 bequeathing properties in favour of the petitioners. Hence it is the contention of the petitioners that the respondents have no objections and given consent affidavits, which are also marked as Ex.P.7 to P.14, for grant of Letters of Administration in favour of the petitioners.

4. It is also stated by the petitioners that both the attesting witnesses had died and P.W.2, neighbour of both the attesting witnesses is examined and identified the signature of the attesting witnesses.

5. The amount of assets which is likely to come to the petitioners'



O.P.No.177 of 2022

hands does not exceed in the aggregate sum of Rs.30,00,000/- and the net amount of the said assets after deducting all the items, which the petitioners are by law allowed to deduct is only of the value of Rs.30,00,000/-. The petitioners undertakes to duly administer the property and credits of the deceased Munivel Chetty and to make a full and true inventory thereof and exhibit the same to the Court within six months from the date of grant of Letters of Administration to the petitioners and also render a true account of the said property and credits within one year from the said date.

6. The 1st petitioner has been examined as P.W.1. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners has filed this petition for grant of Letters of Administration in favour of the petitioners in respect of the estate of the deceased Munivel Chetty. Ex.P.1 is the original registered Will and Testament dated 14.04.1988 executed by G.Munivel Chetty. Ex.P.2 is the photocopy of the Sale deed dated 05.01.1978 in favour of G.Munivel Chetty (Compared with Original). Ex.P.3 is the copy of the death certificate of deceased G.Munivel Chetty and Ex.P.6 is the computer generated death certificate of Mrs.Girija. Exs.P.7 to P.14 are the consent affidavits given by the respondents 1 to 8. Ex.P15 is the affidavit of assets showing the net value of the estate as



O.P.No.177 of 2022

Rs.30,00,000/-. Exs.P.17 is the paper publication, but none have objected for the same.

7. In view of the above facts, I am of the view that the petitioners have proved their claim and hence, the petitioners are entitled for the issuance of Letters of Administration in their favour.

8. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioners. The petitioners are 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 petitioners are further directed to render true and correct accounts once in a year.

05.03.2024

ssd



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