

**O.P. No.521 of 2023**

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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 Subbaraman. It is the case of the petitioners that the deceased Subbaraman married one Girija. She pre-deceased the deceased on 18.02.2019. The said Subbaraman died on 11.05.2019. They both had no issues and Subbaraman had only one sister namely C.R.Sarathambal, who also predeceased the deceased on 01.03.2016. The husband of the C.R.Sarathambal namely Mr.K.V.Ramachandran also pre-deceased her on 23.06.1992. The petitioners 1 to 3 & Late K.R.Ganesh Shankar are the legal heirs of the late Mr.K.V.Ramachandran and C.R.Saradhambal. The said K.R.Ganesh Shankar died on 01.01.2021 leaving behind his wife and son, petitioners 4 and 5 as his legal heirs. Hence, the petitioners being the Class-



II legal heirs of the deceased has filed this petition. The deceased died intestate and though due and diligent search has been made for a Will, nothing has been found. There is no other kith or kin available than the petitioners. The amount of assets which is likely to come to the petitioners' hand do not exceed in the aggregate sum of Rs.2,94,51,000/- 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.2,94,51,000/-. The petitioners undertake to duly administer the property and credits of the deceased Subbaraman 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.

3. The second 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 have filed this petition for grant of Letters of Administration in favour of the petitioners in respect of the estate of the deceased Mr.Subbaraman. Ex.P.6 is the computer generated death certificate of Mrs.C.R.Sarathambal. Ex.P7 is the computer generated death certificate of



Mrs.C.Girija. Ex.P8 is the computer generated death certificate of Mr.C.Subbaraman. Ex.P10 is the photocopy of the letter dated 02.12.2023 of rejection of application for grant of Class-II legal heir certificate by Tahsildar, Mylapore Taluk addressed to the petitioners. Ex.P12 is the computer generated death certificate of Mr.K.R.Ganesh Shankar. Ex.P13 is the computer generated legal heir certificate of Mr.K.R.Ganesh Shankar. Ex.P13 has been filed to prove that the petitioners 4 and 5 are the legal heirs of Mr.K.R.Ganesh Shankar. Exs.P16 to P20 are the photocopies of the Aadhar Card of the respective petitioners. Ex.P21 is the affidavit of assets showing the net value of the estate as Rs.2,94,51,000/-. Exs.P.22 & P23 are the paper publications, but none have objected for the same.

4. In view of the above facts, I am of the view that the petitioners have proved their claim that they are the Class-II legal heirs of the deceased and they are all entitled for the issuance of Letters of Administration in their favour. The petitioners 4 and 5 are entitled to the share allotted to Mr.K.R.Ganesh Shankar, since, the said Mr.K.R.Ganesh Shankar was alive when the succession was opened in the year 2016.

N.SATHISH KUMAR, J.



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5. 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 petitioners are 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.

04.01.2024

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