

O.P. No.546 of 2023

N.SATHISH KUMAR, J.

This Petition has been filed under Sections 218 and 278 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 Ramaswamy Pillai. The said Ramaswamy Pillai was the original owner of the schedule property, died on 02.05.1960. His wife died on 08.03.1970 and they had two sons namely Venkatarathinam and V.R.Narasimhan. The Venkatirathanam married Kokila and they both died on 05.12.1941 and 14.07.1942 respectively, who had no issues. The second son namely V.R.Narasimhan married V.Chandra and the petitioners herein are the children. The petitioners' father and mother died on 07.11.1996 and 09.08.2020 respectively. 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.50,00,000/- 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.50,00,000/-. The petitioners undertake to duly administer the property and credits of the deceased Ramaswamy Pillai 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 first 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 Ramaswamy Pillai. Ex.P.1 is the computer generated death certificate of the deceased. Ex.P.2 is the photocopy of the death certificate of the death certificate of Mrs.Alamelu Thayammal. Ex.P3 is the photocopy of the death certificate of Mr.Venkatarathnam. Ex.P4 is the computer generated death certificate of Mr.V.R.Narasimhan. Ex.P5 is the computer generated legal heir certificate of Mr.V.R.Narasimhan. Ex.P10 is the online printout of certificate of extract from the Permanent Land Register dated 02.12.2022 in



respect of the property mentioned in the petition. Ex.P13 is the PW1's certificate for receiving electronic evidence for Exs.P1, P4 to P7, P9 to P12.

Ex.P.15 is the affidavit of assets showing the net value of the estate as Rs.50,00,000/-. Exs.P.16 & P17 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 and hence, the petitioners are entitled for the issuance of Letters of Administration in their favour. 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.

06.03.2024

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