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O.P.No.522 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2024

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 522 of 2023

1.Satyan Nayar
2.Rajani Unni
3.Sandhya Sridhar
4.Sidhartha Unni

... Petitioners

PRAYER: Original Petition filed under Sections 218 and 278 of the Indian Succession Act, 1925 read with Order XXV, Rule 5 of the Original Side Rules seeking letters of administration to the property and credits of the deceased to have effect limited to the State of Tamil Nadu to the 4th petitioner.

For Petitioners : M/s.K.N.Shanthi

ORDER

The petition has been filed taking advantage of Sections 218 and 278 of the Indian Succession Act, 1925 seeking grant of letters of administration without Will annexed, to administer and manage 1/6 undivided share in the property situated at Besant Nagar in Block



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A-1/11/21, measuring build up area of 1331 sq.ft and total area of 7988 sq.ft together with right to use the remaining land in common.

2. The said property belonged to S.K.Unni, the late husband of the 2nd petitioner and the father of the 3rd and 4th petitioners. He had pre-deceased his father K.E.S.Unni Nair, who died on 10.12.2003. S.K.Unni died on 23.09.2000. He also had a brother Satyan Nayar, who has been impleaded as the 1st petitioner. The 1st petitioner had given his consent for letters of administration to be granted in favour of the 4th petitioner/son of S.K.Unni. It must also be stated that both S.K.Unni and his father K.E.S.Unni Nair had died intestate.

3. After following due procedures, the petitioners were directed to tender evidence and accordingly, the 4th petitioner examined himself as P.W.1. He marked the death certificate of his paternal grandfather as Ex.P1 and of his father as Ex.P2 and legal heirship certificate of his father as Ex.P9. The documents relating to the property were marked as Exs.P4 and P10.



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4. Taking into consideration the evidence adduced and the documents produced and also the fact that the 1st petitioner had given his consent, the Original Petition stands allowed. Letters of administration to be issued to the 4th petitioner in the manner known to law. Such Letters of Administration shall have effect throughout the State of Tamil Nadu. The 4th petitioner is 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 and he is 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
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APPENDIX

Petitioners' witness:

P.W.1 – Mr.Sidhartha Unni



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Documents marked:

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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of K.E.S.Unni Nair.
Ex.P2	Computer generated death certificate of S.K.Unni.
Ex.P3	Photocopy of my Aadhaar Card (compared with the original).
Ex.P4	Photocopy of the sale deed dated 22.07.1991 executed in favour of K.E.S.Unni Nair (Compared with the original).
Ex.P5	Affidavit of assets showing the net value of the estate as Rs.1,10,00,000/-.
Ex.P6	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 31.12.2023.
Ex.P7	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 08.01.2024.
Ex.P8	Photocopy of the death certificate of Mrs.Radhasukumar (compared with the original).
Ex.P9	Photocopy of the legal heirship certificate of S.K.Unni (compared with the original).
Ex.P10	Computer generated encumbrance certificate dated 12.04.2024 for the period 01.01.1991 to 15.03.2024.

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