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O.P. No.176 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.06.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No.176 of 2023

M.S.Ramila

... Petitioner

Vs.

1.M.S.Suresh Babu

2.M.S.Suganthi Mai

... Respondents

PRAYER: Original Petition filed under Section 278 of the Indian Succession Act, 1925, read with Order XXV Rule 5 of O.S. Rules to grant Letters of Administration to the property and credits of the deceased to have effect throughout the whole of the State of Tamil Nadu, may be granted to the petitioner.

For Petitioner : Ms.C.S.Monica

ORDER

The petition has been filed seeking Letters of Administration to the property and credits of the deceased to have effect throughout the whole of the State of Tamil Nadu, may be granted to the petitioner.



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2. This petition has been filed seeking letters of administration without a will relating to the estate of Mr.M.R.Surendran, late husband of the petitioner and father of the first and second respondents. Mr.M.R.Surendran died intestate on 22.11.2021. To administer the properties which had been described in the schedule to the petition, this petition has been filed. The first and second respondents have given their consent by filing a consent affidavit.

3. After following the due procedure, the petitioner was directed to tender evidence. Accordingly, she was examined as P.W.1 and she produced the death certificate and legal heir certificate of the late husband, Mr.M.R.Surendran as Exs.P1 & P2. The document relating to the properties were marked as Ex.P3. Perusal of the records also shown that the first and second respondents have also filed a consent affidavit. The evidences are also available in the Court record.

4. Taking into consideration the nature of the evidence deposed and the documents produced, this Original Petition stands allowed. The Letters of Administration to be issued to the petitioner in accordance with rules. Such Letters of Administration shall have effect throughout the State of



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Tamil Nadu. The 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 she 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 – Mrs.M.S.Ramila

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
P1	computer generated death certificate of Mr.M.R.Surendran.
P2	computer generated legal heir certificate of Mr.M.R.Surendran.
P3	the original annexure 9 regarding inventories of the contents safe deposit locker hired from State Bank of India, Vepery Branch by Mr.M.R.Surendran.
P4	the original letter dated 16.04.2022 addressed to the petitioner by SBI, Vepery branch regarding the claim of locker No.249.
P5	the photocopy of the Aadhaar Card of Mr.M.R.Surendran.
P6	the photocopy of the petitioner's Aadhaar Card.
P7	the photocopy of the Aadhaar Card of Mr.M.S.Suresh Babu.
P8	the photocopy of the Aadhaar Card of Ms.Suganthi Mai.
P9	the photocopy of the SBI Term Deposit advice dated 12.07.2021 bearing A/c.No.33822386531 held by Mr.M.R.Surendran.
P10	the photocopy of SBI Bank passbook bearing A/c.11193413663 in respect of Mr.M.R.Surendran.
P11	the affidavit of assets showing the net value of the estate as Rs.27,17,435/-.
P12	the copy of the paper publication effected in one issue of English Daily "Southern Mail" dated 09.04.2024.
P13	the copy of the paper publication effected in one issue of Tamil Daily "Dina Kural" dated 16.04.2024.

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C.V.KARTHIKEYAN, J.

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