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O.P.No.578 of 2023

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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 in respect of the estate of the deceased G.Killivalavan in favour of the petitioners.

2. This petition has been filed for grant of Letters Administration in respect of the estate of the deceased G.Killivalavan. The first petitioner is the elder brother of the deceased G.Killivalavan and second petitioner is his younger brother. The deceased G.Killivalavan died as a bachelor on 14.03.2015. The petitioners are the Class II legal heirs of the deceased G.Killivalavan. The parents of the deceased predeceased him. There is no other legal heir to be impleaded in this petition. **The deceased died intestate and though due and diligent search has been made for a Will, nothing has**



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been found. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.25,00,000/- 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.25,00,000/-. The petitioners undertakes to duly administer the property and credits of the deceased G.Killivalavan 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 and Ex.P.1 to Ex.P.10 marked.

4. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in their favour in respect of the estate of the deceased G.Killivalavan. Ex.P.1 is the computer generated death certificate of



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G.Killivalavan. Ex.P.2 has been filed to show that G.Killivalavan died on 14.03.2015. Ex.P.4 is the partition deed dated 21.11.2007 has been produced to prove the assets of the deceased G.Killivalavan. Ex.P.8 is the affidavit of assets showing the net value of the estate as Rs.25,00,000/-. Ex.P.9 and Ex.P.10 are the paper publications, but none have objected for the same.

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

6. 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



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petitioners are further directed to render true and correct accounts once in a year.

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