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O.P.No.746 of 2022

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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 A.V.Vaijayanthimala in favour of the first petitioner.

2. This petition has been filed for grant of Letters Administration in respect of the estate of the deceased A.V.Vaijayanthimala in favour of the first petitioner. The petitioners are the sisters of the husband of the deceased, viz., T.V.Sridhar. The husband of the deceased predeceased her. The deceased A.V.Vaijayanthimala died on 13.04.2021. They had no issues. The petitioners being the sisters of husband of the deceased are entitled to succeed the estate of A.V.Vaijayanthimala. The parents of the husband of the deceased predeceased her. There is no other legal heir to be impleaded in this petition. **The deceased died intestate and though due and**



O.P.No.746 of 2022

diligent search has been made for a Will, nothing has been found. The amount of assets which is likely to come to the petitioners' hands does not exceed in the aggregate sum of Rs.24,51,808/- and the net amount of the said assets after deducting all the items, which the petitioners is by law allowed to deduct is only of the value of Rs.24,51,808/-. The first petitioner undertakes to duly administer the property and credits of the deceased A.V.Vaijyanthimala 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 first petitioner 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.17 marked.

4. P.W.1 in her 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 first petitioner in respect of the



O.P.No.746 of 2022

estate of the deceased A.V.Vaijayanthimala Ex.P.6 is the computer generated death certificate of the husband of the deceased, viz., T.V.Sridhar. Ex.P.6 has been filed to show that the husband of the deceased died on 01.10.1997. Ex.P.7 is the computer generated death certificate of A.V.Vaijayanthimala. Ex.P.4 shows that A.V.Vaijayanthimala died on 13.04.2021. Ex.P.2 to 5 have been filed to show the assets in the name of the deceased A.V.Vaijayanthimala. Ex.P.12 to Ex.P.14 are the consent affidavits given by the petitioners 2 to 4 for grant of letters of Administration in favour of the first petitioner. Ex.P.15 is the affidavit of assets showing the net value of the estate as Rs.24,51,808/-. Ex.P.16 and Ex.P.17 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 are entitled for the issuance of Letters of Administration in favour of the first petitioner.



O.P.No.746 of 2022

WEB COPY

6. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the first petitioner. The first petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The first petitioner is 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 first petitioner is further directed to render true and correct accounts once in a year.

11.01.2024

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O.P.No.746 of 2022

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O.P. No.746 of 2022

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