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O.P.No.601 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. 601 of 2023

Chandrakala Nutalapati

... Petitioner

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 throughout the whole of the Union of India.

For Petitioner : M/s.Y.Kavitha
for M/s.PVS Giridhar Associates

ORDER

The petition has been filed taking advantage of Sections 218 and 278 of the Indian Succession Act, 1925 seeking letters of administration without Will annexed, to manage and deal with the property described in the schedule to the petition.



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2. The said property belonged to the brother of the petitioner, MallikarjunaRaoNutalapati, who died intestate on 21.11.2020. He died a bachelor. The parents of the petitioner and her brother MallikarjunaRaoNutalapati had died on 21.05.2021.

3. After following due procedures, the petitioner was directed to tender evidence and accordingly, the petitioner examined herself as P.W.1. She marked the death certificate of her parents as Exs.P2 and P3 and the death certificate of her brother was marked as Ex.P5. The petitioner had also obtained succession certificate relating to the debts and credits in the name of her brother and that was marked as Ex.P9. The documents relating to the properties were marked as Exs.P1, P7 and P8. The legal heirship certificate of her father was marked as Ex.P12. The brother was also admitted to hospital and the petitioner also marked Ex.P4, copies of the hospital bills.

4. Taking into consideration the evidence adduced and the documents produced, the Original Petition stands allowed. Letters of



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administration to be issued in favour of the petitioner in the manner known to law.

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Index :Yes/No
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APPENDIX

Petitioner's witness:

P.W.1 – Mrs.Chandrakala Nutalapati

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 21.11.2020 executed in favour of MallikarjunaRaoNutalapati (compared with the original).
Ex.P2	Computer generated death certificate of Mr.Mohan Rao.
Ex.P3	Computer generated death certificate of Mrs.N.Radha.
Ex.P4	Photocopies of the Hospital Bills for the treatment given to the deceased N.Mallikharjuna Road (Compared with the original).
Ex.P5	Computer generated death certificate of Mr.N.Mallikharjuna



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<i>Exhibits</i>	<i>Documents</i>
	Rao.
Ex.P6	E-mail communication of the employees provident fund in respect of the PF account and pension claim of late Mr.Mallikharjuna Nutalapatti.
Ex.P7	Photocopy of the appraiser report dated 18.06.2022 regarding the articles in the Bank locker of the deceased N.Mallikharjuna Rao (Witness states that Bank has given only the photocopy of the document. This document is marked subject to its admissibility, proof and relevancy).
Ex.P8	E-mail communication regarding the settlement of personal loan of the deceased N.Mallikharjuna Rao.
Ex.P9	Photocopy of the succession certificate dated 24.11.2022 in O.P.No.138 of 2022 passed by this Hon'ble Court in my favour (compared with the original).
Ex.P10	Photocopy of the Aadhaar Card of N.Mallikharjuna Rao (compared with the original).
Ex.P11	Photocopy of my Aadhaar card (compared with the original).
Ex.P12	Computer generated legal heir certificate of Mr.Mohan Rao.
Ex.P13	Affidavit of assets showing the net value of the estate as Rs.43,27,104/-
Ex.P14	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 22.03.2024.
Ex.P15	Copy of the paper publication effected in one issue of Tamil



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<i>Exhibits</i>	<i>Documents</i>
	Daily “Makkal Kuarl” dated 30.03.2024.

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