

**O.P. No.671 of 2023****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.

2. This petition has been filed for grant of Letters Administration in respect of the estate of one Dilip Iyer. The first petitioner is the wife and the second and third petitioners are the daughter and son of the deceased Dilip Iyer. The deceased Dilip Iyer died on 20.12.2016. The respondent is the mother of the deceased. The father of the deceased pre-deceased him. The parties are the Class-I legal heirs. The respondent has given consent for grant of Letters of Administration in favour of the petitioner. The deceased died intestate and though due and diligent search has been made for a Will, nothing has been found. There is no other kith or kin available than the petitioners. The amount of assets which is likely to come to the first petitioner's hands does not exceed in the aggregate sum of Rs.1,09,58,748/- and the net amount of the said assets after deducting all the items, which the first petitioner is by law allowed to deduct is only of the value of



Rs.1,09,38,748/-. The first petitioner undertakes to duly administer the property and credits of the deceased Dilip Iyer 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 petitioner and also render a true account of the said property and credits within one year from the said date.

3. The power agent of the petitioners 1 to 3 namely Mr.Thyagarajan Subramanian has been examined as P.W.1. P.W.1 in his 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 estate of the deceased Dilip Iyer. Ex.P.1 is the photocopy of the death certificate of Dilip Iyer. Ex.P2 is the photocopy of the legal heir certificate of the deceased. Ex.P3 is the photocopy of the conveyance deed dated 15.09.2015 in favour of the deceased. Ex.P6 are the original statement of share holding of the deceased issued by UBS Financial Services Inc. dated February 2022. Ex.P7 is the photocopy of the letter dated 16.06.2023 sent by State of Delaware Department of Finance Office of Unclaimed Property, Wilmington addressed to the first petitioner. Ex.P10



is the photocopy of the power of attorney dated 06.07.2023 executed by the first petitioner in favour of the first petitioner. Ex.P11 is the affidavit of assets showing the net value of the estate as Rs.1,09,38,748/-. Exs.P.12 and 13 are the paper publications, but none have objected for the same.

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

5. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the first petitioner, before 08.03.2024. 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.

14.02.2024

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