



WEB **RMT.TEEKAA RAMAN,J.,**

This original petition has been filed taking advantage of Sections 218 and 278 of the Indian Succession Act, 1925 along with relevant rules of the Original Side of Madras High Court seeking grant of Letters of Administration with Will annexed of S.Loganathan, who had died on 08.06.2021. The property is situated within the jurisdiction of this Court.

2. The petitioners are the wife and son of the deceased S.Loganathan.

3. Prior to his death, the the deceased was working in State Bank of India for about 33 years where he started working as a clerk and rose up to the ranks of Special Assistant. The deceased had untiringly worked during his service and also took great care of his family and tended to all their needs. Subsequently the deceased retired in May, 2010 and on 08.05.2021, the deceased met his untimely demise at Chennai. The deceased was residing in 65, Pillayar Koil street, Shenoy Nagar, Chennai - 600 030 until his demise. The parents of the deceased are dead as they predeceased him.

4. Paper Publication has been effected and he has not raised any objection and Exhibits P28 and P29 were marked as Paper Publications.

5. The 2nd petitioner has examined himself as P.W.1 and marked Exs.P1 to P31.



6. The following documents were marked through P.W.1. are as

follows:

<i>Sl. No.</i>	<i>Exhibits</i>	<i>Documents</i>
1.	Ex.P1	Photocopy of the sale deed dated 30.09.1985 in favour of S.Loganathan
2.	Ex.P2	Photocopy of kist receipt issued for S.F.No.264/5 in patta No.2390 in respect of the Avadi property
3.	Ex.P3	Photocopy of the sale deed dated 19.06.1997 in favour of S.Loganathan
4.	Ex.P4	Photocopy of the encumbrance certificate dated 30.08.2014 for the period from 01.01.1987 to 24.08.2014 in respect of the Moovarasampet property.
5.	Ex.P5	Photocopy of the patta issued in Patta No.1072 in respect of the Moovarasampet property for S.F.No.54/1A1D2B standing in the name S.Loganathan
6.	Ex.P6	Photocopy of the kist receipt for Fasili years from 1407 to 1424 for Moovarasampet property in Patta No.1072 paid by S.Loganathan on 15.05.2015.
7.	Ex.P7	Photocopy of the communication to S.Loganathan for payment towards planning permission from St.Thomas Mount Panchayat Union towards Moovarasampet property dated 29.09.2015.
8.	Ex.P8	Photocopy of the receipt issued by CMDA for the amount paid by S.Loganathan towards Moovarasampet property dated 15.10.2015.
9.	Ex.P9	Photocopy of the challan dated 16.10.2015 paid to Moovarasampet panchayat.
10.	Ex.P10	Photocopy of the planning permit issued by Commissioner, St.Thomas Panchayat Union along with layout dated 20.10.2015.
11.	Ex.P11	Photocopy of the planning permission approval granted by Commissioner, Moovarasampet Municipality with receipt dated 02.11.2015.
12.	Ex.P12	Photocopy of the registration slip dated 03.11.2018 for regularization of Avadi property issued by CMDA.
13.	Ex.P13	Photocopy of the share certificate in Borosil Renewables Limited standing in the name of S.Loganathan.
14.	Ex.P14	Photocopy of the share certificate in Borosil Limited standing in the name of S.Loganathan



Sl. No.	Exhibits	Documents
15.	Ex.P15	Photocopy of the share certificate in M.M.Rubber Company Limited standing in the name of S.Loganathan
16.	Ex.P16	Computer generated death certificate of S.Loganathan
17.	Ex.P17	Computer generated legal heir certificate of S.Loganathan
18.	Ex.P18	Photocopy of the water tax receipt dated 14.03.2022 in respect of the property standing in the name of S.Loganathan
19.	Ex.P19	Photocopy of the property tax receipt dated 14.03.2022 in respect of the property standing in the name of S.Loganathan
20.	Ex.P20	Computer generated SBI Account statement for the period from 16.12.2020 to 15.12.2021 in respect of the account held by S.Loganathan
21.	Ex.P21	Photocopies of pensioners identity cards of S.Loganathan and Mrs.L.Pushpa (2 series)
22.	Ex.P22	Photocopy of the Aadhar card of the 1st petitioner.
23.	Ex.P23	Photocopy of the Aadhar card of the 2nd petitioner
24.	Ex.P24	Computer generated encumbrance certificate for the period from 01.01.1975 to 10.08.2023
25.	Ex.P25	Computer generated encumbrance certificate for the period from 01.01.1975 to 29.12.1993.
26.	Ex.P26	Certificate under Section 65B of the Indian Evidence Act, 1872.
27.	Ex.P27	The affidavit of assets showing the net value of the Estate as Rs.2,03,49,066.42/-
28.	Ex.P28	The paper publication in Tamil daily "Dinakkural" dated 25.04.2024.
29.	Ex.P29	The paper publication in English daily "Southern Mail" dated 02.05.2024.
30.	Ex.P30	The photocopy of the family card of Mr.S.Loganathan
31.	Ex.P31	The photocopy of the letter dated 16.12.2022 from State Bank of India, Rajaji Salai Branch addressed to S.Loganathan in respect of the locker held by him.



7. Taking into consideration of the pleadings, the execution of the Will has been proved in the manner known to law as contemplated under the Indian Succession Act and Indian Evidence Act and there is no impediment for grant of Will itself and hence, I am inclined to grant probate in favour of the petitioners.

8. With the above observations, this Original Petition stands allowed. The petitioners are directed to duly administer the properties and credits of the deceased more clearly described in the schedule. The petitioner is directed to execute a 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 petitioner is further directed to render true and correct accounts once in a year.

09.09.2024

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O.P.No.719 of 2023

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