

**O.P. No.158 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 Mr.P.Ramachandran. It is the case of the petitioner that she is the only surviving sister and Class II legal heir of the deceased Mr.P.Ramachandran. The deceased Mr.P.Ramachandran's father pre-deceased him on 29.03.2002. The deceased had two brothers and two sisters. The two brothers of the deceased namely P.Sekar and P.Ramakrishnan died on 07.11.2000 and 10.08.2005 respectively. Similarly, his another sister namely V.Kumari also died on 06.01.1991. Item No. 2 of the schedule property was originally purchased by the Mrs.P.Varalakshmi/brother of the petitioner. The said P.Varalakshmi died intestate on 26.04.2021 leaving behind the petitioner's brother as the sole legal heir to succeed her estate. Pursuant to the death of P.Varalakshmi, the



petitioner's brother Mr.P.Ramachandran succeeded all her estates.

Therefore, the entire schedule properties is devolving on his sister namely the petitioner herein. The deceased Mr.P.Ramachandran died on 02.05.2021. 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 petitioner's hands does not exceed in the aggregate sum of Rs.75,00,000/- and the net amount of the said assets after deducting all the items, which the petitioner is by law allowed to deduct is only of the value of Rs.47,99,000/-. The petitioner undertakes to duly administer the property and credits of the deceased Mr.P.Ramachandran 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 petitioner has been examined as P.W.1. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in favour of the



petitioner in respect of the estate of the deceased Mr.P.Ramachandran.

Ex.P.1 is the certified copy of settlement deed dated 31.10.1981 executed in favour of Mr.P.Ramakrishnan and Mr.P.Ramachandran. Ex.P.2 is the computer generated death certificate of Ms.V.Kumari. Ex.P3 is the computer generated death certificate of Mr.P.Sekar. Ex.P4 is the certified copy of the sale deed dated 14.02.2001 executed in favour of Mr.P.Ramachandran. Ex.P5 is the computer generated death certificate of Mr.P.Govindarajilu. Ex.P6 is the computer generated death certificate of Mr.P.Ramakrishnan. Ex.P10 is the computer generated death certificate of Mrs.Varalakshmi. Ex.P11 is the computer generated death certificate of Mr.P.Ramachandran. Ex.P14 is the affidavit of assets showing the net value of the estate as Rs.74,99,000/-. Exs.P.15 & P.16 are the copy of paper publications, but none have objected for the same.

4. Considering the above documents, particularly, the death certificates of the brothers and sisters of the deceased Mr.P.Ramachandran, this Court is of the view that the petitioner being the surviving sister and Class-II legal heir of the deceased is entitled for the issuance of Letters of Administration in her favour.



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

02.01.2024

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