

**O.P. No.303 of 2023**

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N.SATHISH KUMAR, J.

This Petition has been filed under Sections 232 and 276 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 Mrs.Mukhtarunissa Begum and Mohammed Salahuddin. The petitioners are the sons and daughter of the deceased. The deceased Mukhtarunissa Begum died on 10.05.1996 and Mohammad Salahuddin died on 18.07.2018. The petitioners are the Class-I legal heirs of the deceased. 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 petitioners' hands do not exceed in the aggregate sum of Rs.52,39,239/- and the net amount of the said assets after deducting all the items, which the petitioners are by law allowed to deduct is only of the



value of Rs.52,19,329/-. The petitioners undertake to duly administer the property and credits of the deceased 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 petitioners and also render a true account of the said property and credits within one year from the said date.

3. The third petitioner/power agent of the petitioners 1 and 2 has been examined as P.W.1. 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 petitioners in respect of the estate of the deceased. Ex.P2 is the death certificate of Mukhtar Salahuddin Mukhtarunissa Begum. Ex.P3 is the photocopy of the death certificate of Mr.Salahuddin Mohammad. Exs.P5 & P6 are the original power of attorney executed by the petitioners 1 and 2. Ex.P9 is the photocopy of the Bank passbook in IOB, Triplicane held by Mr.MD Salahuddin bearing A/c.No.009801000013035. Ex.P11 is the affidavit of assets showing the net value of the estate as Rs.52,19,329/-. Exs.P.12 & P.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 petitioners are entitled for the issuance of Letters of Administration in their favour.

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

19.01.2024

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