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O.P.No.313 of 2023

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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 in respect of the estate of the deceased Nirmala Menon.

2. This petition has been filed for grant of Letters Administration in respect of the properties of the deceased Nirmala Menon. The petitioner is the sister-in-law of the deceased Nirmala Menon. The first respondent is the wife of the brother of the husband of the deceased and the second respondent is her daughter. The third and fourth respondents are daughters of yet another brother of the husband of the deceased. The deceased Nirmala Menon died on 05.11.2021. The parents and the husband of the deceased predeceased her. There is no other legal heir to be impleaded in this petition. The deceased died intestate and though due and diligent



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search has been made for a Will, nothing has been found. The amount of assets which is likely to come to the petitioners hands does not exceed in the aggregate sum of Rs.1,00,00,000/-/- 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.1,00,00,000/-. The respondents have given consent of affidavits for grant of letters of administration in favour of the petitioner. The petitioner undertakes to duly administer the property and credits of the deceased Nirmala Menon 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 daughter of the petitioner has been examined as P.W.1 and Ex.P.1 to Ex.P.10 marked.



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4. 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 Nirmala Menon. Ex.P.2 is the computer generated death certificate of Nirmala Menon. Ex.P.2 has been filed to show that Nirmala Menon died on 05.11.2021. Ex.P.1 is the computer generated death certificate of N.V.Lohi Dakshan. Ex.P.1 shows that the husband of the deceased died on 23.10.2021. Ex.P.3 to Ex.P.6 have been filed to prove the assets in the name of the deceased Nirmala Menon. Ex.P.5 is the affidavit of assets showing the net value of the estate as Rs.1,00,00,000/-. Ex.P.10 and Ex.P.11 are the paper publications, but none have objected for the same.

5. In view of the above facts, I am of the view that the petitioner has proved the claim and hence, the petitioner is entitled for the issuance of Letters of Administration in her favour.



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6. 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.

13.02.2024

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