



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.161 of 2024

- 1.Stephen Arunkumar Lakshmipathy
- 2.Helen Jayanth
- 3.Leela Williams
- 4.Nalini Letitia Bruso
- 5.Sunil James Thambidurai
- 6.Renuka Ruth Mahelis
- 7.David Eddy Kirubakaran
- 8.Rebecca Vinolia
- 9.Abigail Vinodhini
- 10.Karen Gracelyn
- 11.Muralidharan Billon
- 12.Sridharan Balakrishnan
- 13.Subha Sundararajan
- 14.J.Michael Devadason
- 15.Lawrence G.Devadason
- 16.Roberty E.Devadason

...Petitioners

PRAYER: Original Petition filed under Sections 218 and 278 of the Indian Succession Act 1925 XXXIX of 1925 read with Order XXV Rule 5 of the Original Side Rules, 1956, prays that a Letter of Administration to the property and credits to have effect throughout the whole of the Tamilnadu may be granted to them.

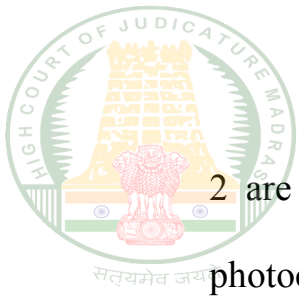
For Petitioners : Mr.S.Muthuvenkataraman

**ORDER**

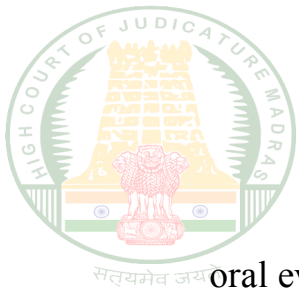
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This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of late Ms.Kamala Devadason, who died intestate on 15.05.2021 as spinster. The third petitioner is the sister of the deceased. The petitioners 1,2, 4 to 7 and 11 to 16 are the nephews and nieces of the deceased through her predeceased sisters and brothers. The petitioners 8 to 10 are the daughters of the niece of the deceased through her predeceased sister. The petitioners are the surviving legal heirs of the deceased. The petitioners seek issuance of Letters of Administration in respect of the properties mentioned in the petition, which is situated within the jurisdiction of this court.

2. The first petitioner has been examined as PW1. He has produced the death certificates of the deceased and her predeceased sisters and brothers as Ex.P2, Ex.P5, Ex.P8, Ex.P11, Ex.P8 and Ex.P13. The computer generated death certificate of niece of the deceased through predeceased fourth sister as Ex.P9. The photocopy of the SSLC certificate of the deceased as Ex.P1. The photocopy of the passport of third petitioner who is the first sister of the deceased as Ex.P4. The computer generated Family Tree of the predeceased second sister of the deceased as Ex.P6 which shows that the petitioners 1 and



2 are the children of the predeceased second sister of the deceased. The photocopy of the bonafide certificate of Catherine Devadason, fifth sister as Ex.P35. The photocopy of the Tamil Nadu Government Gazette publication dated 19.07.1992 for name change from Catherine Devadason as Ms.Akila Balakrishnan, who is the fifth sister of the deceased as Ex.10. On perusal of Ex.P1, Ex.P4 and Ex.P35, it shows that the father name of the deceased and first and fifth sisters are one and same. The photocopy of the marriage certificate of niece of the deceased through her predeceased fourth sister as Ex.P12 which reflects the name of the fourth sister of the deceased as mother of the niece. The photocopy of the General Power of attorney executed in favour of the first petitioner by the petitioners 2 to 16 as Ex.P14 to Ex.P25 to represent the case on behalf of them. The genealogy of the deceased as Ex.P30. The computer generated legal heir certificate of sister and sister's daughter of the deceased as Ex.P33 and Ex.P34. On perusal of Ex.P33 and Ex.P34, it shows that the seventh petitioner is the son of third sister and the petitioner 8 to 10 are the daughters of the predeceased daughter of the third sister. A paper publication has been made and any objections have not been received.



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3. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

4. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioners, in respect of the properties mentioned in the petition of the late.Ms.Kamala Devadason. The petitioners are directed to execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) in the name of the Assistant Registrar (Original Side) of this Court. The petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

26.03.2025

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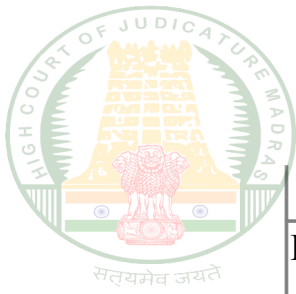
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Stephen Arunkumar Lakshmipathy

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the SSLC Certificate of Ms.Kamala Devadason dated 02.01.1947(Compared with the original)
Ex.P2	Computer generated death certificate of Ms.Kamala



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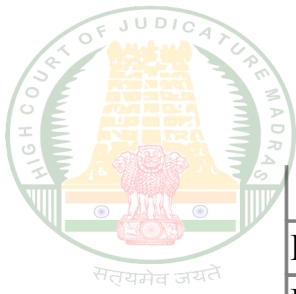
O.P.No.161 of



	Devadason dated 12.08.2021.
Ex.P3	Photocopy of the sale agreement dated 15.04.1994 entered into between Ms.Kamala Devadason and M/s.Dev Apartments (Compared with the original)
Ex.P4	Photocopy of the passport of Mrs.Leela Williams (Compared with the original)
Ex.P5	Computer generated death certificate of Mr.Alice Lakshmipathy.
Ex.P6	Computer generated Family Tree affidavit submitted by Mrs.Alice Lakshmipathy dated 03.01.2018 attested by Deputy Tahsildar, Government of Karnataka.(Compared with the original)
Ex.P7	Computer generated death certificate of Mr.Gnanapragasan Thambidurai.
Ex.P8	Computer generated Death certificate of Mrs.Margaret James. (Compared with the original)
Ex.P9	Computer generated Death certificate of Mrs.Rachel Evelyn Rajkumar.
Ex.P10	Photocopy of the Tamil Nadu Government Gazette publication dated 19.07.1992 for change of name from Catherine Devadason as Ms.Akila Balakrishnan (Compared with the original)
Ex.P11	Computer generated death certificate of Mrs.Akila Balakrishnan (Compared with the original)
Ex.P12	Photocopy of the Marriage Certificate of Mrs.Subha Sundarrajan (Compared with the original)
Ex.P13	Photocopy of the Death Certificate of Mr.Chinnadurai Devadason (Compared with the original)
Ex.P14	Photocopy of the General Power of attorney dated 12.04.2022 executed by Mr.David Eddy Kirubakaran in my favour (Compared with the original)
Ex.P15	Photocopy of the General Power of attorney dated 16.03.2022 executed by Mr.Muralidharan Billion in my favour (Compared with the original)
Ex.P16	Photocopy of the General Power of attorney dated 04.07.2022 executed by Mr.Lawrence G.Devadason and Mr.J.Michael Devadason in my favour (Compared with the



	original)
Ex.P17	Photocopy of the General Power of attorney dated 04.07.2022 executed by Mr.Robert E.Devadason in my favour (Compared with the original)
Ex.P18	Photocopy of the General Power of attorney dated 11.04.2022 executed by Mr.Sridharan Balakrishnan in my favour (Compared with the original)
Ex.P19	Photocopy of the General Power of attorney dated executed by Mr.Nalini Letitia Bruso in my favour (Compared with the original)
Ex.P20	Photocopy of the General Power of attorney dated 13.05.2022 executed by Mr.Sunil James Thambidurai in my favour (Compared with the original)
Ex.P21	Photocopy of the General Power of attorney dated 12.04.2022 executed by Ms.Renuka Ruth Mahelis in my favour (Compared with the original)
Ex.P22	Photocopy of the General Power of attorney dated 28.06.2022 executed by Mrs.Leela Williams in my favour (Compared with the original)
Ex.P23	Photocopy of the General Power of attorney dated 17.05.2022 executed by Ms.Abigail Vinodhini, Ms.Keren Gracelyn, Ms.Rebecca Vinolia in my favour (Compared with the original)
Ex.P24	Photocopy of the General Power of attorney dated 20.05.2022 executed by Mrs.Subha Sundarajan in my favour (Compared with the original)
Ex.P25	Photocopy of the General Power of attorney dated 20.05.2022 executed by Mrs.Helen Jayanth in my favour (Compared with the original)
Ex.P26	Photocopy of the Sale deed dated 27.03.1993 executed in favour of Ms.Kamala Devadason and Mrs.Alice Lakshmipathy (Compared with the original)
Ex.P27	Photocopy of the sale deed dated 27.03.1993 executed in favour of Ms.Kamala Devadason and Mrs.Alice Lakshmipathy (Compared with the original)
Ex.P28	Photocopy of the SBI Bank passbook bearing Ac No.10477529094 in respect of Mrs.Kamala Devadason



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O.P.No.161 of



	(Compared with the original)
Ex.P29	Downloaded copy of the guideline value of the property.
Ex.P30	Genelogy of deceased Ms.Kamala Devadason.
Ex.P31	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P32	Affidavit of assets showing the net value of the estate as Rs.63,21,865.25/-
Ex.P33	Computer generated Legal Heir certificate of Ms.Margaret James.
Ex.P34	Computer generated Legal Heirship certificate of Ms.Rachel Evelyn Rajkumar.
Ex.P35	Photocopy of the bonafide certificate of Catherine Devadason dated 07.10.2021 issued by Saraj Tucker Hr.Sec.School (Compared with the original)
Ex.P36	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 18.07.2024.
Ex.P37	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 26.07.2024.

26.03.2025

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O.P.No.161 of

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