



O.P.No.212 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

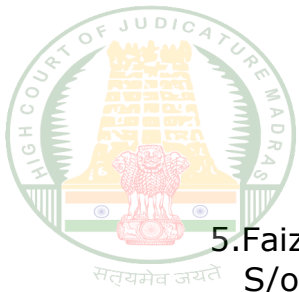
DATED: 14.10.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

Original Petition No.212 of 2025

- 1.Ruqia Banu,
W/o.Mohamed Sait,
No.320, 30th Street, I – Block,
Kambar Colony,
Anna Nagar West,
Chennai-600 040.
- 2.Ayisha Banu,
W/o.Habeebullah (Late),
No.3, Jawahar Hussain Khan 6th Street,
Royapettah,
Chennai-600 014.
- 3.Nasir Khan,
S/o.Mohamed Iqbal Ahmed Khan,
1808/6, 18th Street,
I – Block, Thiruvalluvar Kudiyiruppu,
Anna Nagar,
Chennai-600 040.
- 4.Mohammed Hashim Khan,
S/o.Mohamed Iqbal Ahmed Khan,
1808/6, 18th Street,
I – Block, Thiruvalluvar Kudiyiruppu,
Anna Nagar,
Chennai-600 040.



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5.Faiz Ahmed Khan,
S/o.Mohamed Iqbal Ahmed Khan,
8040, Townsend Road, Dublin,
OH-43016, USA
rep. by his Brother and General Power of Attorney
Nasir Khan
S/o.Mohamed Iqbal Ahmed Khan,
1808/6, 18th Street,
I – Block, Thiruvalluvar Kudiyiruppu,
Anna Nagar,
Chennai-600 040.

.. Petitioners

Vs

Nil

.. Respondent

Prayer: This Original Petition filed under Sections 218 and 278 of the Indian Succession Act, 1925 read with Order XXV, Rule 5 of the Madras High Court Original Side Rules praying to grant Letters of Administration to the property and credits of the deceased Mohamed Iqbal Ahmed Khan to the third petitioner to have the effect limited to the State of Tamil Nadu.

For Petitioners : Mr.M.Y.Muhamed Rafi

ORDER

This petition has been filed by the petitioners to grant Letters of Administration to the property and credits of the deceased Mohamed Iqbal Ahmed Khan to have the effect limited to the State of Tamil Nadu.



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2. According to the petitioners, they are sons and daughters of the deceased Mohamed Iqbal Ahmed Khan. The fifth petitioner executed a General Power of Attorney in favour of the third petitioner and the fifth petitioner is represented by the third petitioner. Mohamed Iqbal Khan died on 08.07.2021 leaving behind the petitioners as his legal heirs. The mother of the petitioners pre-deceased their father and the petitioners alone are the legal heirs of the deceased Mohamed Iqbal Khan. The deceased Mohamed Iqbal Khan was maintaining a Safe Deposit Vault - SDV A/c.No.49573019062 and a Locker facility - Locker No.610 at State Bank of India, 18th Main Road Branch, Chennai and deceased Mohamed Iqbal Khan has been operating the same as sole hirer and without any nomination. There are some valuables found in the locker and an inventory was also taken. As per the personal law (Shariath) applicable to the petitioners, the first and second petitioners are each entitled to 1/8th share and petitioners 3 to 5 are each entitled to 2/8th share in the assets found in the locker. All the petitioners are jointly entitled to the assets mentioned in the petition. Therefore, the petitioners have filed this petition to grant Letters of Administration in favour of the third petitioner. The other petitioners, namely



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petitioners 1, 2, 4 and 5, have no objection to grant Letters of Administration in favour of the third petitioner. To that effect, they have also filed consent affidavits.

3. After filing this petition, the petitioners were directed to effect paper publication and the same was also effected and no objection was received from any party. Thereafter, the matter was referred to learned Master for recording evidence.

4. The third petitioner examined himself as P.W.1 and marked Exs.P1 to P9.

5. In his evidence, P.W.1 deposed about the contents of the main petition and the assets left by his father, namely Mohamed Iqbal Ahmed Khan. On careful perusal of the evidence of P.W.1 and Exs.P1 to 9, it is clear that the father of the petitioners was operating Safe Deposit Vault – SDV A/c.No.49573019062 and Locker facility – Locker No.610 at State Bank of India, 18th Main Road Branch (12747), Chennai and he died on 08.07.2021. The petitioners are the legal heirs of the deceased Mohamed Iqbal Ahmed Khan and petitioners 1,2,



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4 and 5 have also given consent to grant Letters of Administration in favour of the third petitioner and, to that effect, they have also filed consent affidavits. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. There is no rival claim. In these circumstances, the petitioners are entitled to the relief as prayed for in the Original Petition.

6. In view of the above, this Original Petition is allowed and Letters of Administration is granted in favour of the third petitioner, namely Nasir Khan, to administer the property and any credits of the deceased Mohamed Iqbal Ahmed Khan. The third petitioner is 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 third petitioner is further directed to file an inventory of assets within a period of six months and a statement of accounts within a period of one year.

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Index : Yes/No
Neutral Citation:Yes/No
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Petitioners' side witness:

P.W.1 : Thiru Nasir Khan

Petitioners' side documents:

<i>Exhibits</i>	<i>Date</i>	<i>Description of documents</i>
Ex.P1	16.07.2021	Photocopy of the death certificate of Mohamed Iqbal Ahmed Khan issued by the Greater Chennai Corporation.
Ex.P2	28.05.2021	Photocopy of the death certificate of Razia Begum issued by the Greater Chennai Corporation.
Ex.P3	17.08.2021	Legal Heir Certificate issued by the Tahsildar, Aminjikarai.
Ex.P4	26.07.2021	Photocopy of the General Power of Attorney executed by Faiz Ahmed Khan in favour of Nasir Khan [compared with the original]
Ex.P5	15.03.2022	Requisition letter addressed by the State Bank of India, 18 th Main Road, Anna Nagar West in respect of the claim of articles in safe deposit locker held by deceased Mohamed Iqbal Ahmed Khan.
Ex.P6	28.09.2024	Affidavit of Assets filed by the petitioners.
Ex.P7	06.10.2025	Affidavit of Nasir Khan filed under Section 63 of Bharatiya Sakshya Adhiniyam, 2023.
Ex.P8	06.08.2025	Copy of paper publication effected in



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Exhibits

Date

Description of documents

Ex.P9

13.08.2025

one issue of Tamil daily "Makkal Kural".

Copy of paper publication effected in one issue of English daily "Trinity Mirror".

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P.DHANABAL, J.

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