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O.P.No.566 of 2024

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 15.10.2025

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THE HONOURABLE **MR. JUSTICE P.DHANABAL**

O.P.No.566 of 2024

- 1.Mrs.Caroline Sahaya Santhi S
- 2.Mrs.Josephine Selva Jayanthi
- 3.Mr.Prince Selvaraj
- 4.Mrs.Rosalin Anna Vasanthi S

...Petitioners

Prayer:- Original Petition is 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 in favour of the petitioners.

For Petitioners : Mr.V.Srikanth

ORDER

The petitioner has filed this petition under Sections 218 and 278 of the Indian Succession Act, 1925, seeking to grant Letters of Administration in favour of the petitioners.

2. After filing this petition, paper publication was effected. There



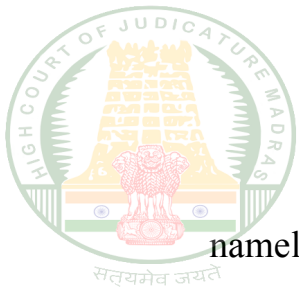
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is no objector objecting to grant Letters of Administration in favour of the petitioners.

3. According to the petitioners, the deceased Kuzhandaisamy married one Lilly and they were not blessed with any children. The parents of the deceased Kuzhandaisamy pre-deceased him. The petitioners are the niece and nephew of the deceased Kuzhandaisamy through his sister Late Gnanambal Selvaraj. In the absence of Class-I legal heirs, the petitioners are the closest surviving legal heirs of the deceased Kuzhandaisamy and therefore, they are entitled to succeed to his estate.

4. The petitioners also undertake to duly administer the property and credits of the deceased Kuzhandaisamy and also undertake to make full and true inventory thereof and exhibit the same before this Court within six months from the grant of Letters of Administration in favour of the petitioners. They further undertake to render a true account of the said property and credits before this Court within one year.

5. It is further averred in the petition that the deceased Kuzhandaisamy, who died intestate on 31.10.2020, has only one sister,



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namely, Gnanambal, mother of the petitioners. His wife Lilly

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Kuzhandaisamy also died intestate on 08.11.2023. Therefore, the petitioners being the closest relatives of the deceased Kuzhandaisamy are entitled to succeed the estate of the deceased Kuzhandaisamy. It is further averred that during the lifetime of the deceased Kuzhandaisamy, he has not executed any Will. Therefore, they have filed this application seeking to issue Letters of Administration in their favour to enable them to administer the property and credits of the deceased Kuzhandaisamy.

6. The first petitioner herself was examined as P.W.1 and marked Exs.P1 to P11. On careful examination of Exs.P1 to P11, it is revealed that the deceased Kuzhandaisamy purchased a property through a registered sale deed dated 19.03.1996. The said Kuzhandaisamy died intestate on 31.10.2020 and his wife Lilly Kuzhandaisamy also died intestate on 08.11.2023. It is also seen from the records that they were not blessed with any children. As seen from Ex.P6, the petitioners are the legal heirs of the Selvaraj and Gnanambal (sister of the deceased Kuzhandaisamy). Therefore, the petitioners, being the niece and nephew of the deceased Kuzhandaisamy, have proved their claim for issuance of Letters of Administration in their favour and accordingly, this petition is allowed in the following manner:-



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(a) Issue Letters of Administration in favour of the petitioner in accordance with the Rules. Such Letters of Administration shall have effect throughout the State of Tamil Nadu.

(b) The petitioners are directed to execute a security bond for a sum of Rs.25,000/- in the name of the Assistant Registrar (Original Side) of this Court.

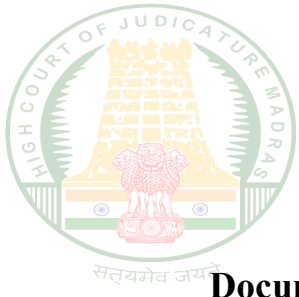
(c) As undertaken by them before this Court, the petitioners are directed to produce full inventory with regard to property and credits of the deceased Kuzhandaisamy within a period of six months from the date of receipt of a copy of this order; and they are further directed to render true and correct accounts once in a year.

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Index:yes/no
Neutral Citation: yes/no

Petitioners' witness:

P.W.1 – Mrs.Caroline Sahaya Santhi



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Documents marked:

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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Downloaded copy of the death certificate of the deceased Kuzhandaisamy.
Ex.P2	Downloaded copy of the legal heirship certificate.
Ex.P3	Paper publication effected in Tamil daily “Makkal Kural” dated 13.11.2024.
Ex.P4	Paper publication effected in English daily “Trinity Mirror” dated 05.11.2024
Ex.P5	Affidavit of assets with the valuation of Rs.30,00,000/- along with the order copy dated 01.07.2025.
Ex.P6	Downloaded copy of legal heirship certificate of Mr.Selvaraj
Exs.P7 & P8	Downloaded copy of the death certificate of Lilly and Gnanammal
Ex.P9	Downloaded copy of property tax receipt given by Greater Chennai Corporation dated 25.04.2024
Ex.P10	Copy of the sale deed executed by S.C.Pandian in favour of Mr.Kuzhanthaisami dated 19.03.1996.
Ex.P11	Affidavit of Caroline Sahaya Santhi under Section 63 of BSA, 2023.

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P.DHANABAL, J.

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