



O.P.No.385 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.08.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.385 of 2024

Mangalam.J

...Petitioner

PRAYER: Original Petition filed under Section 218 and 278 of Indian Succession Act read with Order XXV Rule 5 of Madras High Court Original Side Rules, praying to grant the letter of administration of the property and credits of the deceased to have effect throughout the whole of the Union of India granted to her.

For Petitioner : Mr.V.Manohar

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of Mr.G.Ganapathy, who died intestate on 04.05.2021. The petitioner is the sister of the deceased.

2. The petitioner submits that the above said deceased was married to one Mrs.Bhavani who predeceased him on 30.08.2006 and the couple did not have issues out of their marriage. The petitioner also submits that

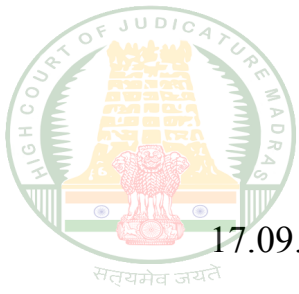


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the deceased had two sisters namely Mrs.K.Madhuram and the petitioner herself. The petitioner asserts the deceased was the absolute owner of the immovable property mentioned in the schedule of the petition by the virtue of the Sale Deed dated 17.09.1981 registered as Document No.5151 of 1981 in SRO of Kodambakkam. The petitioner asserts that Mrs.Bhavani, the wife and the parents of the deceased had already predeceased him and subsequently another sister of the deceased Mr.K.Madhuram had also died on 21.01.2018, leaving behind the petitioner as the sole legal heir of the deceased. Therefore the petitioner as the sole legal heir of the deceased seeks the issuance of Letters of Administration in respect of the property mentioned in the schedule of the petition, which is situated within the jurisdiction of this court.

3. The petitioner has been examined as PW1. She has produced 12 documents to support her deposition which are listed as Ex.P1 to Ex.P12 at the foot of the order. The computer generated death certificates of the deceased and Late.Mrs.Bhavani, the wife of the deceased has been marked as Ex.P1 and Ex.P3 respectively. The computer generated death certificate of Late.Mrs.K.Madhuram, the sister of deceased has been marked as Ex.P2. As the evidence to the title held by the deceased towards the schedule mentioned immovable property a Sale Deed dated



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17.09.1981 has been marked as Ex.P5. The original legal heirship certificate of Mrs.Bhavani the predeceased wife of deceased has been marked as Ex.P10. The computer generated legal heirship certificate of the deceased has been marked as Ex.P11 and the perusal of the same clearly proves that the petitioner is the sole legal heir of the deceased and substantiates the claims made in the petition that as the sole legal heir of the deceased the petitioner is entitled to the immovable property mentioned schedule of the petition. The general paper publication have been effected which are marked as Ex.P7 and Ex.P8 and no objections were received for the same.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief.

5. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioner, in respect of the properties mentioned in the petition of the Late.G.Ganapathy. The 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 petitioner is further directed to file an inventory of assets and statement



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of accounts within a period of six months and one year, respectively.

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Index :Yes/No

Petitioner's witness:

P.W.1 - Mrs.J.Mangalam

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.Ganapathy.
Ex.P2	Computer generated death certificate of Mrs.K.Madhuram.
Ex.P3	Computer generated death certificate of Mrs.Bhavani.
Ex.P4	Photocopy of the family card for the period 2005-2009 (The original was surrendered. This document is marked subject to its admissibility, proof and relevancy)
Ex.P5	Photocopy of the sale deed dated 17.09.1981 executed in favour of Mr.G.Ganapathy.(Compared with the original)
Ex.P6	Affidavit of assets showing the net value of the estate as Rs.1,27,20,000/-
Ex.P7	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 01.10.2024.
Ex.P8	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 08.10.2024.
Ex.P9	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P10	Original legal heirship certificate of G.Bhavani.
Ex.P11	Computer generated legal heirship certificate of Ganapathy.
Ex.P12	Affidavit under Section 65B of the Indian Evidence Act, 1872.



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