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O.P.No.527 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.06.2025**

CORAM

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

O.P.No.527 of 2024

Dr.Anand B.Karnad
S/o.Dr.K.Bhasker Rao
2906, Ivory Creek, San Antonio,
Texas 78258, United States.

Represented by his Power Agent
Mr.Sharad Pathak
Flat No.715, Gulmohar Block
Alliance Orchid Springs
Water Canal Road,
Chennai – 600 076.

...Petitioner

PRAYER: Original Petition filed under Section 218 and 278 of Indian Succession Act 1925 and Order XXV Rule 5 of the O.S.Rules, prays that Letter of Administration may be granted to the property and credits of the deceased to have effect throughout the State of Tamil Nadu.

For Petitioner : Mr.C.Suraj

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of late Dr.K.Bhasker Rao, who died intestate on 16.03.2010. The petitioner who is the only son of the deceased is represented by his power of attorney Mr.Sharad Pathak.



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2. The petitioner submits that his mother had predeceased his father on 18.10.1958 and hence the deceased has no other legal heirs except the petitioner. The petitioner further submits that the property mentioned in the schedule of the petition was co-owned by him and the deceased *vide* the Sale Deed registered as Doc.No.1121 of 2001 in SRO of Periamet. Therefore as the only legal heir of the deceased, the petitioner is entitled to the 1/2th share belonging to the deceased in the immovable property mentioned in the petition. The petitioner seeks issuance of Letters of Administration in respect of the property mentioned in schedule of the petition, which is situated within the jurisdiction of this court.

3. The petitioner has been examined as PW1, he had marked 7 documents which are listed as Ex.P1 to Ex.P5 and Ex.C1 and Ex.C2 under the foot of the order. He has produced photocopy of the death certificates of the deceased and the wife of the deceased as Ex.P3 and Ex.P1 respectively. As the evidence to the Title of property held by the deceased, the Sale Deed registered as Doc.No.1121 of 2001. The registered general Power of Attorney Deed dated 06.03.2024 registered as Doc.No.49/2024 on the file of SRO, Periyamet has been marked as Ex.P4. From perusal of Ex.P3 and Ex.P4 it can be substantiated that the petitioner is the son of the deceased. The general



paper publications had been effected which are marked as Ex.C1 and Ex.C2,
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 petitioner is 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 petitioner, in respect of the property mentioned in the petition of the late Dr.K.Bhaskar Rao. 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 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 – Mr.Sharath Pathak



Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Death Certificate of Petitioner's mother Mrs.Gowri dated 31.10.1958. (Original compared verified and returned)
Ex.P2	Photocopy of the Sale Deed vide 1121 of 2001 registered on the file of Sub-Registrar Office of Periamet dated 18.06.2001.(Original compared verified and returned)
Ex.P3	Photocopy of the Death Certificate of Dr.K.Bhasker Rao dated 19.03.2010.(Original compared verified and returned)
Ex.P4	Photocopy of the General Power of Attorney Deed dated 06.05.2024.(Original adjudication of power of Attorney dated 10.05.2024 vide document number 49/2024 on the file of Sub Registrar Periyamet is produced compared verified and returned)
Ex.P5	Original of the Affidavit of Assets.
	Section 65 B certificate of Indian Evidence Act in support of Ex.P1 has been filed.
Ex.C1	Tamil Paper Publication in Makkal Kural dated 12.01.2025.
Ex.C2	English Paper Publication in Trinity Mirror dated 19.01.2025.

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