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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Original Petition No.479 of 2024

Maya H Pathak

... Petitioner

Prayer:- This Original Petition has been filed under Sections 218 and 278 of Indian Succession Act (29) of 1925 r/w order XXV Rule 6 of the Original Side Rules for grant of letters of administration to the property of the deceased to have effect throughout the whole of the Union of India to the petitioner.

For petitioner : Mr.R.Sathyanarayan Davay

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of late H.B.Pathak, who died intestate on 23.01.2024. The petitioner is the wife of the deceased and



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there were no issues for them out of wedlock. The deceased has no other surviving legal heirs except the petitioner. The petitioner seeks 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 petitioner has been examined as PW1. She has produced the death certificates of the deceased compared with the original as Ex.P2. The legal heirship certificate of the late H.B.Pathak as Ex.P5. On perusal of the Ex.P5, it clearly exhibits that the petitioner is only the surviving legal heir of the deceased. A paper publication has been made and any objections have not been received.

3. 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.H.B.Pathak. 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 petitioners are further directed to file an inventory of assets and statement of



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

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Internet : Yes / No

Index : Yes / No

Petitioner's witness:

P.W.1 – Mrs.Maya H Pathak

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Certified copy of the sale deed dated 20.08.2010 executed in favour of Mr.H.B.Pathak (compared with the original).
Ex.P.2	Photocopy of the death certificate of Mr.H.B.Pathak (compared with the original).
Ex.P.3	Photocopy of the Aadhaar card of Mr.H.B.Pathak (compared with the original)
Ex.P.4	Photocopy of my Aadhaar card (compared with the original).
Ex.P.5	Computer generated legal heir ship certificate of Mr.H.B.Pathak
Ex.P.6	Affidavit of assets showing the net value of the estate as Rs.69,80,000/-
Ex.P.7	Copy of the paper publication effected in one issue of Tamil Daily "Dina Kural" dated 05.11.2024.
Ex.P.8	Copy of the paper publication effected in one issue of English Daily "Southern Mail" dated 13.11.2024.
Ex.P.9	Certificate under Section 65 B of the Indian Evidence Act, 1872.

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K. KUMARESH BABU, J.

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