



WEB COPY



O.P.No.10 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM

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

**O.P.No.10 of 2024**

- 1.J.Mekhala
- 2.K.T.Gopinath
- 3.D.Mallika
- 4.K.N.Sivakumar
- 5.Chandrika Manoharan
- 6.E.Hemalatha
- 7.N.Premavathy
- 8.R.Bala Subramaniam                      ... Petitioners

**PRAYER:** Original Petition filed for Letters of Administration under Sections 218 and 278 of Indian Succession Act 1925, ACT 1925 read with Order XXV Rule 5 of the Madras High Court Original Side Rules, 1956 for praying Letters of Administration annexed of the properties and credit of the deceased having effect limited to the State of Tamilnadu may be granted to the petitioners

For Petitioner            : Mr.K.Ramanathan

**ORDER**

This Original Petition has been filed for issuance of Letters of



O.P.No.10 of 2024

Administration in respect of the properties of late D.K.Thanikachalam and E.K.Rosy Bai, who died intestate on 11.12.1989 and 10.04.2018. The petitioners are the Nephews, nieces and sister in law of the deceased. One Duraisamy was married to Vaduvambal and fathered three sons and one daughter including the deceased D.K.Thanikachalam. The said D.K.Thanikachalam was married to one Rosy Bai and there were no issues for them out of wedlock. The other sons and daughter gave birth to the first to sixth and eighth petitioners. The deceased has no other surviving legal heirs except the petitioners. The petitioners seek 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 fourth petitioner has been examined as PW1. He has produced the death certificates of the deceased D.K.Thanikachalam and E.K.Rosy Bai as Ex. P4 and Ex.P5. The death certificates of Late Duraisamy and Vaduvambal who are the parents of D.K.Thanikachalam as Ex.P6 and Ex.P7. The death certificates of two brothers and one sister of D.K.Thanikachalam as Ex.P6, Ex.P10 and Ex.P18. The legal heir certificate of Duraisamy as Ex.P15. The legal heir certificates of the legal heirs of Duraisamy and Vaduvambal as Ex.P11, Ex.P16 and Ex.P17. On



O.P.No.10 of 2024

perusal of the Ex.P15, P11, P16 and P17 show that the petitioners are the surviving legal heirs of the deceased D.K.Thanikachalam and E.K.Rosy Bai. 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 petitioners, in respect of the properties mentioned in the petition of the late.D.K.Thanikachalam and E.K.Rosy Bai. The petitioners are 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 accounts within a period of six months and one year, respectively.

**06.02.2025**

Gba

Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

**Petitioner's witness:**

P.W.1 —Mr.K.N.Sivakumar



O.P.No.10 of 2024

**Documents exhibited by the petitioners:**

WEB COPY

| <i><b>Exhibits</b></i> | <i><b>Documents</b></i>                                                                                         |
|------------------------|-----------------------------------------------------------------------------------------------------------------|
| Ex.P1                  | Photocopy of PW-1's Aadhar Card (Compared with the original)                                                    |
| Ex.P2                  | Photocopy of sale deed dated 22.01.1985 executed in favour of Mr.D.K.Thanikachalam (Compared with the original) |
| Ex.P3                  | Photocopy of the sale deed dated 03.07.1972 executed in favour of E.K.Rosy Bai (Compared with the original)     |
| Ex.P4                  | Original death certificate of Mr.D.K.Thanika Chalam.                                                            |
| Ex.P5                  | Original death certificate of E.K.Rosy Bai                                                                      |
| Ex.P6                  | Original death certificate of Mr.Doraisami                                                                      |
| Ex.P7                  | Original death certificate of Mrs.Vaduvambal                                                                    |
| Ex.P8                  | Original death certificate of Mrs.Subbammal                                                                     |
| Ex.P9                  | Original death certificate of Mr.D.K.Natarajan                                                                  |
| Ex.P10                 | Original death certificate of Mrs.Buvaneswari Rajagopal                                                         |
| Ex.P11                 | Original legal heirship certificate of Mrs.Buvaneswari Rajagopal                                                |
| Ex.P12                 | Affidavit of assets showing the net value of the estate as Rs.92,00,000/-                                       |
| Ex.P13                 | Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 29.07.2024.                 |
| Ex.P14                 | Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 06.08.2024.             |
| Ex.P15                 | Photocopy of the legal heirship certificate of Mr.Doraisami (Compared with the original)                        |
| Ex.P16                 | Photocopy of the legal heirship certificate of Mr.D.K.Natarajan (compared with the original)                    |
| Ex.P.17                | Photocopy of the legal heirship certificate of Mr.D.K.Thangavelu (compared with the original)                   |
| Ex.P.18                | Photocopy of the death certificate of Mr.D.K.Thangavelu                                                         |



O.P.No.10 of 2024

| <i>Exhibits</i> | <i>Documents</i>             |
|-----------------|------------------------------|
|                 | (compared with the original) |

Gba

06.02.2025



WEB COPY



O.P.No.10 of 2024

**K.KUMARESH BABU,J.**

Gba

**O.P.No.10 of 2024**

**06.02.2025**