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O.P.No.6 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.04.2025**

CORAM

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

O.P.No.6 of 2023

T.Chandrika Menon

...Petitioner

vs.

1.Mr.Mathur Srinivasan Kannan (deceased)
(R-2 recognized as L R of R-1
as per order passed in Memo dated
05.07.2024 (D.No.23829) ordered
on 24.07.2024 by learned Master)

2.Mrs.Monisha K.Husom

...Respondents

PRAYER: Original Petition filed for grant of Letters of Administration without the Will limited to the assets under Section 218 and 278 of the Indian Succession Act 1925 and Order XXV Rule 5 of Original Side Rules, praying that Letters of Administration without the Will to the estate of Late Mrs.Ammalukutty Amma (Deceased) who died intestate may be granted to the petitioner having effect limited to the State of Tamil Nadu.

For Petitioner : Mrs.Shobana Ramasubramanian

For Respondents : No appearance

**ORDER**

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This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of Late.Mrs.Ammalukutty Amma, who died intestate on 23.02.2006. The petitioner is the daughter of the deceased and the respondents 1 and 2 are the legal heirs of the Late.Mrs.Lakshmi Kannan who is another daughter of the deceased and also the sister of the petitioner. The petitioner submits that the first respondent died and the second respondent was recognized as the legal heir of the first respondent by the order dated 24.07.2024 which was passed in the Memo dated 05.07.2024. 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 testatrix and Late.Mrs.Lakshmi Kannan as Ex.P2 and Ex.P4. The legal heirship certificate of the testatrix has been marked as Ex.P3, which clearly shows that the petitioner and Late.Mrs.Lakshmi Kannan are the only legal heirs of the deceased. The photocopy of the aadhar card compared with the original and affidavit of assets of the petitioner are marked as Ex.P5 and Ex.P5. The respondents both have expressed their



consent to grant the Letters of Administration in favour of the petitioner through their consent affidavits which have been filed along with the petition. The general paper publications have been made which are marked as Ex.P7 and Ex.P8 and any objections have not been received.

3. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are 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 properties mentioned in the petition of the Late.Mrs.Ammalukutty Amma. 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 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.T.Chandrika Menon

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Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the sale deed dated 31.07.1995 executed in favour of Mrs.T.Ammalu Kutty Amma (Compared with the original)
Ex.P2	Photocopy of the death certificate of Mrs.T.Ammalu Kutty Amma (Compared with the original)
Ex.P3	Photocopy of the legal heirship certificate of Mrs.T.Ammalu Kutty Amma (Compared with the original)
Ex.P4	Photocopy of the death certificate of Mrs.Lakshmi Kannan (Compared with the original)
Ex.P5	Photocopy of Aadhar Card (Compared with the original)
Ex.P6	Affidavit of assets showing the net value of the property as Rs.79,80,000/-
Ex.P7	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 17.02.2024.
Ex.P8	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 25.02.2024.

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