



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.855 of 2023

1.D.Baskaran

2.D.Sekar

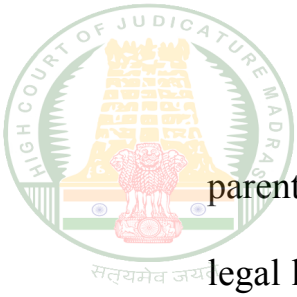
...Petitioners

PRAYER: Original Petition filed for Grant of Letters of Administration under Sections 218 and 278 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the O.S.Rules, praying that this Hon'ble Court may be pleased to grant them Letters of Administration to the property and credits of the deceased to have effect throughout the State of Tamilnadu and thus render justice.

For Petitioners : Ms.O.Ashwini Prakash

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of late.D.Sridhar, who died intestate on 19.04.2021. The petitioners are the brothers of the deceased. The deceased who was married to Mrs.K.Sasikala got divorced on 23.12.2011, the couple did not have any issues during the period of their marriage. The



parents of late.D.Sridhar had predeceased him leaving 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 first petitioner has been examined as PW1. He has produced the death certificates of the deceased and their predeceased father and mother compared with the originals as Ex.P9, Ex.P1 and Ex.P7. The legal heirship certificate of the late.Mr.B.Devarajan who is father of the deceased, compared with the original as Ex.P2. The legal heirship certificate of the late.Mr.D.Vasanthalakshmi who is mother of the deceased, compared with the original as Ex.P8. The divorce certificate dated 23.12.2011 of the deceased as Ex.P3. On perusal of the Ex.P2, Ex.P8 and Ex.P3, it clearly shows that the petitioners are the only surviving legal heirs to the deceased Mr. D. Sridhar and parents of the deceased who predeceased him. The affidavit of assets of the deceased as Ex.P4. The paper publications are marked as Ex.P4 and Ex.P5 has been made and any objections have not been received.



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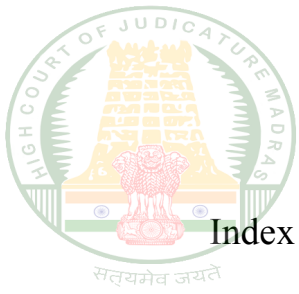
3. A copy of the letter dated 20.05.2022 sent by the second petitioner to the Tahsildar, Perambur regarding the legal heirship certificate of the late.Mr.D.Sridhar is marked as Ex.P9. The original reply to the same from the Tahsildar, Permbur is marked as Ex.P11.

4. 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.

5. 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 .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.

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Index :Yes/No

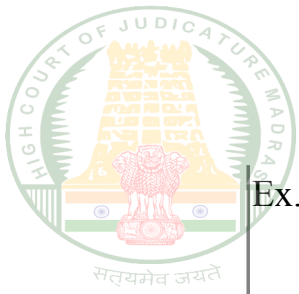
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Petitioner's witness:

P.W.1 – Mr.D.Baskaran

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of death certificate of Mr.B.Devarajan (Compared with the original)
Ex.P2	Photocopy of the legal heirship certificate of Mr.Devarajan.
Ex.P3	Certificate copy of the divorce order dated 23.12.2011 passed by Family Court, Chennai in F.C.O.P.No.1219 of 2011 granted to my brother D.Sridharan.
Ex.P4	Affidavit assets showing the Net value of the estate as Rs.15,02,400/-
Ex.P5	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 15.11.2024.
Ex.P6	Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 22.11.2024.
Ex.P7	Computer generated death certificate of Mrs.D.Vasanthalakshmi.
Ex.P8	Computer generated legal heir certificate of Mrs.D.Vasanthalakshmi.
Ex.P9	Computer generated death certificate of Mr.D.Sridhar.
Ex.P10	Personal copy of the letter dated 20.05.2022 sent by the second petitioner to the Tahsildar, Perambur regarding the legal heir certificate of Mr.D.Sridhar.
Ex.P11	Original reply dated 01.07.2022 sent by the Tahsildar, Perambur to the second petitioner.



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Ex.P12	Photocopy of the settlement deed dated 11.08.2006 executed by Mr.B.Devaraj in favour of Mr.D.Sridhar (Compared with the original)
Ex.P13	Certificate under Section 65 B of the Indian Evidence Act, 1872.

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K.KUMARESH BABU, J.



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