



WEB COPY

O.P.No.337 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.07.2025**

CORAM

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

O.P.No.337 of 2023

1.D.Surekha

2.D.Surendhar

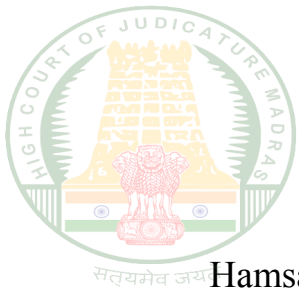
...Petitioners

PRAYER: Original Petition filed under Sections 218 & 278 of the Indian Succession Act, 1925 read with under Order XXV Rule 5 of Madras High Court Original Side Rules to grant the Letter of Administration in favour of the property and credits of the deceased to have effect throughout the whole of the Union of India may be granted to him.

For Petitioners : Mr.P.Rajkumar Pandian

ORDER

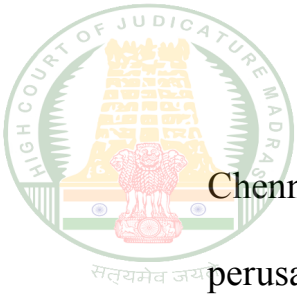
This Original Petition has been filed for issuance of Letters of Administration in respect of the valuables kept in the locker held by Late Mrs.D.Amsavalli @ Hamsavalli, who died intestate on 02.05.2021. The 1st and 2nd petitioners are the only legal heirs of the deceased.



WEB COPY

2. The petitioners submit that the deceased Late Mrs.D.Amsavalli @ Hamsavalli was married to one Mr.Doss who predeceased her on 24.02.2006 and the couple had begotten the petitioners 1 and 2 as their children in the duration of their marriage. The petitioners further submit that their mother, herein the deceased Late Mrs.D.Amasavalli @ Hamsavalli had died intestate on 02.05.2021 leaving behind the petitioners as her only legal heirs. Therefore the petitioners seek issuance of Letters of Administration in respect of the valuables kept in the locker No.3/32 held by Late Mrs.D.Amsavalli @ Hamsavalli, in the safe deposit Vault of the State Bank of India, MKB Nagar, Chennai, which is situated within the jurisdiction of this court.

3. The 1st petitioner has been examined as PW1. She has produced 15 documents to support her deposition which are listed as Ex.P1 to EX.P15 at the foot of the order. She had produced the computer death certificates of her mother Mrs.D.Amsavalli as Ex.P9 and her father Mr.C.Doss as Ex.P5. The legal heirship certificate of the deceased Late Mrs.D.Amsavalli has been marked as Ex.P10. The photocopy of the letter GEN/10/2022-2023 dated 13.05.2022 given by The Branch Manager, State Bank of India, MKB Nagar,



Chennai, addressed to both the petitioners has been marked as Ex.P11. A perusal of Ex.P10 proves that both the petitioners are the only legal heirs of the deceased Late Mrs.D.Amsavalli @ Hamsavalli. The combined perusal of Ex.P10 and Ex.P11 clearly substantiates the claims made in the petition that both the petitioners 1 and 2 are entitled to the valuables kept in the Locker No.3/32 held by their mother, herein the deceased Late Mrs.D.Amsavalli @ Hamsavalli in the State Bank of India, MKB Nagar, Chennai. The general paper publications had been effected which are marked as Ex.P14 and Ex.P15 and no objections were received for the same.

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 valuables kept in the locker No.3/32 held by Late Mrs.D.Amsavalli @ Hamsavalli, in the safe deposit Vault of the State Bank of India, MKB Nagar, Chennai. 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.

WEB COPY

01.07.2025

kak

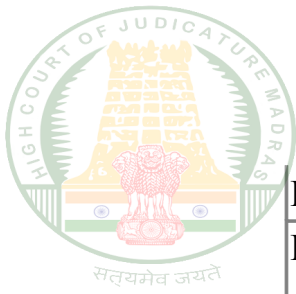
Index :Yes/No

Petitioner's witness:

P.W.1 – Ms.D.Surekha

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of Aadhaar card of P.W.1(Compared with the original)
Ex.P2	Computer generated birth certificate.
Ex.P3	Photocopy of Aadhaar card of Mr.D.Surendhar.(Compared with the original)
Ex.P4	Computer generated birth certificate of second petitioner.
Ex.P5	Computer generated death certificate of Mr.C.Doss.
Ex.P6	Photocopy of Family card of Mrs.D.Amsavalli.(Compared with the original)
Ex.P7	Photocopy of Aadhaar card of Mrs.D.Amsavalli.(Compared with the original)
Ex.P8	Photocopy of Savings bank A/c pass book standing in the name of Mrs.D.Amsavalli, State Bank of India, MKB Nagar Branch, Chennai – 600039 bearing A/c.No.30044856490 (Compared with the original)



WEB COPY

O.P.No.337 of



Ex.P9	Computer generated death certificate of Mrs.D.Amsavalli.
Ex.P10	Computer generated legal heir certificate of Mrs.D.Amsavalli.
Ex.P11	Photocopy of letter dated 13.05.2022 given by The Branch Manager, State Bank of India, MKB Nagar, Chennai, addressed to the petitioners asking for letters of administration.
Ex.P12	Affidavit of the assets showing the net value of the estate as Rs.10,00,000/-
Ex.P13	Affidavit of P.W.1 filed under Section 65 B of Indian Evidence Act.
Ex.P14	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 06.06.2024.
Ex.P15	Copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 23.05.2024.

01.07.2025

kak



WEB COPY

O.P.No.337 of



K.KUMARESH BABU, J.

kak

O.P.No.337 of 2023

01.07.2025