



O.P.No.257 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.08.2025**

CORAM

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

O.P.No.257 of 2024

Mrs.Vaijayanthi

...Petitioner

vs.

Nil

...Respondent

PRAYER: Original Petition filed under Sections 218 & 278 of Indian Succession Act read with Order XXV Rule 5 of O.S. Rules, prays:-

a) That letters of administration to the property and credits of the deceased Mr.S.Srinivasan and Mrs.Vijayalakshmi to have effect throughout the whole of the State of Tamil Nadu may be granted to her.

For Petitioner : Mr.P.Paul Britto Kumar

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the properties of Mr.S.Srinivasan and Mrs.Vijayalakshmi, who died intestate on 31.03.2013 and 04.02.2022 respectively. The petitioner submits that Late.Mrs.Vijayalakshmi, the 2nd deceased herein, is the wife of Late.Mr.S.Srinivasan, the 1st deceased herein. The petitioner is the sister of the Mr.S.Srinivasan and the sister-in-law of Mrs.Vijayalakshmi.



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2. The petitioner submits that both Late.Mr.S.Srinivasan, the 1st deceased herein and Late.Mrs.Vijayalakshmi, the 2nd deceased herein, are husband and wife. The deceased couple did not have any issues in the duration of their wedlock. The petitioner further submits that she is the sister of Late.Mr.S.Srinivasan and consequently the sister-in-law to Late.Mrs.Vijayalakshmi. The petitioner further submits that 1st deceased is the absolute owner of the immovable property mentioned in the schedule 'B' of the petition, by the virtue of the Sale Deed dated 27.03.1985. The petitioner submits that there are no other surviving legal heirs to the deceased couple other than herself and she alone is entitled to succeed the estate of Late.Mr.S.Srinivasan and Late.Mrs.Vijayalakshmi, which are enumerated as both the immovable property and the movable property in the schedule of the petition. 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.

3. The petitioner has been examined as PW1. She has produced 9 documents to support her deposition which are listed as Ex.P1 to Ex.P9 at the foot of the order. The certified copy of the Sale Deed dated 27.03.1985 executed in favour of Late.Mr.S.Srinivasan has been marked as Ex.P1. The computer generated death certificates of Late.Mr.S.Srinivasan and his wife Late.Mrs.Vijayalakshmi has been



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marked as Ex.P2 and Ex.P5 respectively. The photocopy of the legal heirship certificate of Late.Mrs.S.Srinivasan has been marked as Ex.P4 and the perusal of which substantiates that the deceased couple did not have any issues out of their said wedlock. Ex.P3 has been produced to substantiate that the petitioner and the 2nd deceased has been jointly operating a bank account at C.U.B, T.Nagar. The general paper publications have been effected which has been marked as Ex.P8(Series Nos.2) and no objections have been received for the same.

4. This court considers the depositions made by the petitioner adduced with oral and documentary evidences as the enough proof to allow the present Original Petition. 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 petitioner, in respect of the properties mentioned in the petition of the Late.Mr.S.Srinivasan and Late.Mrs.Vijayalakshmi. 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 petitioner is further directed to file an inventory of assets and statement of accounts within a period of six



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months and one year, respectively.

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Index : Yes/No

Petitioner's witness:

P.W.1 - Mrs.Vaijayanthi

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Certified copy of the sale deed dated 27.03.1985 executed in favour of Mr.S.Srinivasan (Pursuant to the order dated 22.07.2025 in A.No.3353 of 2025 passed by this Hon'ble High Court, this document is marked.)
Ex.P2	Computer generated death certificate of Mr.S.Srinivasan.
Ex.P3	Photocopy of the City Union Bank Ltd., joint account savings account pass book bearing Account Number:001001001593696 in the names of Mrs.K.Vaijayanthi and Mrs.S.Vijayalakshmi(Compared with the original)
Ex.P4	Photocopy of the legal heirship certificate of Mrs.S.Srinivasan.(Compared with the original)
Ex.P5	Computer generated death certificate of Mrs.S.Vijayalakshmi.
Ex.P6	Photocopy of Aadhaar card of P.W.1(Compared with the original)
Ex.P7	Affidavit of assets showing the net value of the estate as Rs.17,50,955/-
Ex.P8	(Series Nos.2) are the copies of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 21.08.2024 and one issue of English Daily "Trinity Mirror" dated 28.08.2024.
Ex.P9	Certificate under Section 65 B of the Indian Evidence Act, 1872.



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K.KUMARESH BABU,J.

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