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O.P. No.131 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.131 of 2025

1. P.M. Jayalakshmi W/o. Late Sathyanarayanan
2. P.M. Devakumar S/o. Late P.T. Muthukumarasamy
3. Ramathilakam W/o. Jeevanathan ... Petitioners

PRAYER: Original Petition is filed under Section 218 and 278 of the Indian Succession Act of 1925 read with Order XXV Rule 5 of the Original Side Rules praying to grant letters of Administration, to the 1st petitioner, to the estates and credits of the deceased having effect limited to the State of Tamil Nadu.

For Petitioners : Mr. P. Muthusamy

ORDER

This petition has been filed under Section 218 and 278 of the Indian Succession Act to grant Letters of Administration to the 1st petitioner to the



O.P. No.131 of 2025

estates and credits of the deceased having effect limited to the State of Tamil

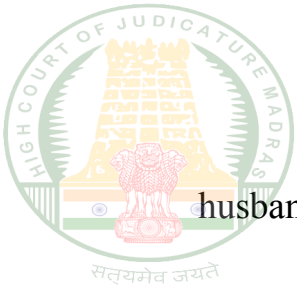
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2. After filing of this petition, this Court directed the petitioners to effect paper publication in any one of the issue of Tamil Daily and also in English daily and the paper publication was also effected and there is no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence was also recorded. On the side of the petitioners, PW1 was examined and Ex.P.1 to Ex.P.12 were marked.

3. According to the petitioners, the deceased Mahalakshmi died intestate on 15.07.2022 leaving behind the petitioners as surviving legal heirs. The petitioners and the deceased are sisters and brother. They have another younger brother P.M. Lavakumar, predeceased to deceased Mahalakshmi on 11.07.2020. The said Lavakumar has no issues and his wife does not fall under the classification of Class I and II legal heir to the deceased. The

Page No.2 of 8



O.P. No.131 of 2025

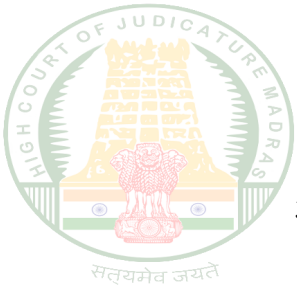
husband of the deceased Panchatcharam predeceased her on 24.05.2008 and

they have no issues. The father and mother of the deceased also predeceased

her on 28.04.2012 and 19.02.2023 respectively. Therefore, there are no

surviving legal heirs except the petitioners herein.

4. It is further contended by the petitioners that the deceased Mahalakshmi was maintaining Pension Account No.2524000300000361 at Punjab National Bank, Mint Branch and another Savings Account at Indian Bank, Avadi and she has immovable properties in her name at Avadi and Tirutani. The 1st petitioner, as an elder sister of the deceased, claims the right to the share of her estate, for which, the 2nd and 3rd petitioners have not raised any objection and they have given their consent for the entitlement to the entire share of the deceased in favour of the 1st petitioner. The total value of the assets would come around Rs.30,25,097.67 and cash of Rs.4,70,097.67.



O.P. No.131 of 2025

5. The 2nd petitioner herein, was examined as PW1. He has stated in

his proof affidavit that he is the elder brother of the deceased Mahalakshmi and reiterated the petition averments. A perusal of evidence of PW1 and Ex.P.1 to Ex.P.12 revealed that the petitioners are the legal heirs of the deceased and no any objection has been raised either by the 2nd or the 3rd petitioner or any other party to grant letter of administration to the 1st petitioner. In support of their contention, the 2nd and 3rd petitioners have filed their consent affidavits. Therefore, the 1st petitioner is entitled to the relief as prayed for in the petition.

6. Therefore, this Original Petition is *allowed* and Letter of Administration, to the estates and credits of the deceased Mahalakshmi in favour of the 1st petitioner, is granted.

7. Issue Letters of Administration in favour of the 1st petitioner. The 1st petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The 1st petitioner is also

Page No.4 of 8



O.P. No.131 of 2025

directed to execute a **security bond** for a sum of **Rs.25,000/- (Rupees**

Twenty Five Thousand only) in favour of the **Assistant Registrar (O.S.II),**

High Court, Madras. The 1st petitioner is further directed to render true and

correct accounts once in a year.

09.09.2025

Index : Yes/No

Speaking Order : Yes/No

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List of Petitioner side Witnesses:

PW1 : Mr. P.M. Devakumar

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	-	Computer generated copy of the Death Certificate of P.M. Lavakumar [Date of Death: 11.07.2020].
Ex.P.2	27.04.2021	Computer generated copy of the Legal Heir Certificate of P.M. Lavakumar.



WEB COPY



O.P. No.131 of 2025

Ex.P.3	-	Computer generated copy of the Death Certificate of deceased Mahalakshmi [Date of Death: 15.07.2022]
Ex.P.4.	10.01.2023	Computer generated copy of the Legal Heir Certificate of deceased Mahalakshmi.
Ex.P.5	-	Computer generated copy of the Death Certificate of Mrs. P.M. Hamsabai [Date of Death: 19.02.2023].
Ex.P.6	18.09.2023.	Computer generated copy of the Legal Heir Certificate of Mrs. P.M. Hamsabai.
Ex.P.7	14.09.1987	Photocopy of the Sale Deed in favour of the deceased Mahalakshmi.
Ex.P.8	31.12.2014	Photocopy of the Settlement Deed in favour of the deceased Mahalakshmi.
Ex.P.9	-	Print out of Statement of Accounts of the deceased Mahalakshmi.
Ex.P.10	-	Affidavit of assets showing the net value of Rs.4,70,097.67 in cash and net value of the immovable property at Rs.30,25,097.67.
Ex.P.11	-	Certificate under Section 63 of B.S.A. filed for Exs.P.1 to P.6 and Ex.P9.
Ex.P.12	-	Consent affidavits of PW1 and the 3rd petitioner.



WEB COPY



O.P. No.131 of 2025

P.DHANABAL.,J

mjs

O.P. No.131 of 2025



WEB COPY



O.P. No.131 of 2025

09.09.2025