

**ANDHRA PRADESH (ANDHRA AREA) ADMINISTRATION OF  
ESTATES REGULATION, 1802**

**3 of 1802**

**[1st January, 1802]**

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**ANDHRA PRADESH (ANDHRA AREA) ADMINISTRATION OF  
ESTATES REGULATION, 1802**

**3 of 1802**

**[1st January, 1802]**

**1. . :-**

A Regulation for receiving, trying and deciding suits or complaints declared cognizable in the Courts of Adalat established in the several Zillas immediately subject to the Andhra area of the State of Andhra Pradesh . The following rules are enacted for receiving, trying and deciding suits or complaints declared cognizable in the Courts of Adalat established in the several Zillas.

**2. . :-**

Repealed by Central Act X to 1861.

**3. . :-**

Repealed by Central Act X to 1861.

**4. . :-**

Repealed by Central Act X to 1861.

**5. . :-**

Repealed by Central Act X to 1861.

**6. . :-**

Repealed by Central Act X to 1861.

**7. . :-**

Repealed by Central Act X of 1861 and III of 1873.

**8. . :-**

Repealed by Central Act XVII of 1862.

**9. . :-**

Repealed by Central Act X of 1861.

**10. . :-**

Repealed by Central Act X of 1861.

**11. . :-**

Repealed by Central Act XII of 1876.

**12. . :-**

Repealed by Central Act X of 1861.

**13. . :-**

Repealed by Central Act X of 1861.

**14. . :-**

Repealed by Central Act X of 1861.

**15. . :-**

Repealed by Central Act X of 1861.

**16. . :-**

First Clause.- Repealed by Central Act III of 1873. {Second Executors to Muhammadans and other whose heirs are not disqualified landholders to take charge of assets and execute trust Courts not to interfere, except on regular complaints In all cases of a Mussulman, or other person subject to the jurisdiction of the Zilla Courts, having at his death left a will and appointed an executor or executors to carry the same into effect, and in which the heir to the deceased may not be a disqualified landholder subject to the superintendence of the Court of Wards, the executors so appointed are to take charge of the estate of the deceased, and proceed in the execution of their trust according to the will of the deceased and the laws and usages of the country, without any application to..... \*{.....} any \* {.....} office of Government for his sanction; The Courts of Justice are prohibited to interfere in such cases, except on a regular complaint against the executors for a breach of trust, or otherwise, when they are to take cognizance of such complaint in common with all others of civil nature, \* {.....} with respect to which the judge is to be guided by the law of the parties, \* {.....}. \* Third - Heirs of intestate or their guardians when not required to apply to Courts for permission to take possession.-- In case of a Hindu, Mussulman or other person subject to the jurisdiction of the Zilla Courts dying intestate, but leaving a son or other heir, who by the laws of the country may be entitled to succeed to the whole estate of the deceased, such heir, if of age, and competent to take the possession and management of the estate, or if under age or incompetent, and not under the superintendence of the Court of Wards, his guardian or nearest of kin, who by special appointment or by the law and usage of the country, may be authorized to act for him, is not required to apply to the Courts of Justice for permission to take possession of the estate of the deceased, as far as the same can be done without violence; and the Courts of Justice are restricted from interference in such cases, except a regular complaint be preferred, \* {.....}: Fourth - More heirs than one to interstate s estate may appoint common manager and take possession.- If there be more heirs than one to the estate of a person dying intestate, and they can agree amongst themselves in the appointment of a common manager, they are at liberty to take possession, and the Courts of Justice are restricted

from interference, without a regular complaint, as in the case of a single heir; When right of succession is disputed security to be taken from party in possession But if the right of succession to the estate be disputed between several claimants, one or more of whom may have taken possession, the Judge, on a regular suit being preferred by the party out of possession, shall take good and sufficient security from the party or parties in possession for his or their compliance with the judgment that may be passed in the suit; Failing such security, claimants giving it to be placed in possession Or in default of such security being given, within a reasonable period, may give possession, until the suit may be determined, to the other claimant or claimants, who may be able to give such security ; declaring, at the same time, that such possession is not in any degree to affect the right of property at issue between the parties, but to be considered merely as an administration to the estate for the benefit of the heirs who may, on investigation, be found entitled to succeed thereto. Fifth - When Judge may appoint administrator to manage intestate s estates.- In the event of none of the claimants to the estate of a person dying interstate being able to give the security required by the preceding clause, and in all cases wherein there may be no person authorized and willing to take charge of the landed estate of a person deceased, the Judge within whose jurisdiction such estate may be situated (or in which the deceased may have resided, or the principal part of the estate may lie, in the event of its being situated within two or more jurisdictions) is authorized to appoint an administrator for the due care and management of such estate. Administration when to cease.- Until, in the former case, the suit depending between the several claimants shall have been determined, or, in the latter case, until the legal heir to the estate, or other person entitled to receive charge thereof as executor, administrator otherwise shall attend and claim the same ; when if the judge be statisfied that the claim is well founded, or if the same be established after any enquiry that may appear necessary, the administrator appointed by the Court shall deliver over the estate to him, with a full and just account of all receipts and disbursements during the period of his administration. Sixth.- Security to be taken from administrators appointed under this section In all instances of an administrator being appointed under this section, he is, previous to entering upon the execution of his office, to give good security for the faithful discharge of his trust, in a sum proportionate to the extent thereof; How their allowance is to be fixed-And the Judge appointing him is

authorised to fix for him (subject to the approbation of the Court of Sadar Adalat, to whom a report is to be made in such instances) an adequate personal allowance to be paid out of the proceeds of the estate, and to be a per centage thereupon after deducting the expenses of management. Seventh.- Procedure in cases of persons dying intestate, leaving unclaimed personal property.- The Judges of the Zilla Courts, on receiving information that any person within their respective jurisdictions has died intestate, leaving personal property, and that there is no claimant to such property are to adopt such measures as may necessary for the temporary care of the property, and to issue an advertisement, in the current language of the country, requiring the heir of the deceased, or any person entitled to receive charge of his efforts, to attend for this purpose; such advertisement to be published on the spot where the property was found, at the Adalat kacheri of the Zilla and, if ascertainable, at the dwelling place of the deceased \* {.....} after which, should any person attend, and satisfy the Judge of his title to the property, or to receive charge thereof as executor, administrator or otherwise the same is to be delivered up to him, on repayment of any necessary expense incurred in the care of it. Should not claim be preferred within the twelve months next ensuing, an inventory of the property, and report of the circumstances or the case, is to be transmitted to the \*{State Government} for \*{their} orders.

**17. . :-**

Repealed by Central Act X of 1861.

**18. . :-**

Repealed by Central Act X of 1861.

**19. . :-**

Repealed by Central Act X of 1861.

**20. . :-**

Repealed by Central Act X of 1861.

**21. . :-**

Repealed by Central Act XVI of 1874.

**22. . :-**

Repealed by Madras Act II of 1869.

**23. . :-**

Repealed by Madras Act II of 1869.

**24.** . :-

Repealed by Madras Act II of 1869.

**25.** . :-

Repealed by Madras Act II of 1869.

**26.** . :-

Repealed by Madras Act II of 1869.

**27.** . :-

Repealed by Central Act X of 1861.

**28.** . :-

Repealed by Central Act X of 1861.

**29.** . :-

Repealed by Central Act X of 1861.