

O.P.No.461 of 2015**K.K.SASIDHARAN, J.**

This is an original petition filed under Sections 232 and 276 of the Indian Succession Act for the grant of letters of administration with respect to the last Will and testament dated 31.05.1968 executed by Tmt.K.Rukmani Ammal, who died on 15.12.1970 at Chennai.

2. The petitioners are the children of the testatrix. The respondents 1 to 4 are the children of the first petitioner. The respondents 5 and 6 are the children born to the second petitioner.

3. The testatrix executed a Will on 31.05.1968 in the presence of two witnesses. As per the Will, she bequeathed her properties in favour of petitioners and respondents. The testatrix in her Will indicated the manner in which the properties should be administered and devolve on the legatees.

4. The first petitioner was examined as PW.1 and the following

documents were marked through her.

<i>Exhibits</i>	<i>Date</i>	<i>Documents</i>
Ex.P1	07.02.2003	Original Death Certificate of Mrs.Rukmani Ammal, who died on 15.12.1970
Ex.P2	31.05.1968	Original Registered Will and Testament executed by Mrs.Rukmani Ammal
Ex.P3	10.02.2015	Computer generated copy of death certificate of Rajagopal Naidu, who died on 25.07.1950
Ex.P4	26.11.2002	Original Death certificate of K.Rajeswari, who died on 14.11.2002
Ex.P5	14.06.1945	Copy of the sale deed executed by Mrs.V.K.Subbamma and others in favour of Mr.A.Rajagopal Naidu
Ex.P6	28.09.1950	Copy of the certificate of letters of administrate in O.P.No.260 of 1950
Ex.P7	-	Original Property tax demand card standing in the name of the first petitioner Mrs.Sulochana Venkoban @ Sulochana
Ex.P8	-	Original Water and Sewerage Tax-cum-Charges Card standing in the name of the first petitioner Mrs.Sulochana Venkoban
Ex.P9	-	Original Property tax demand card standing in the name of the second petitioner M.K.Rupavathi
Ex.P10	-	Original Water and Sewerage Tax-cum-Charges Card standing in the name of the second petitioner Roopavathy @ M.K.Rupavathi
Ex.P11	-	Computer generated copy of the Land and Building Valuation in respect of the property situated at Mulla Sahib Street, Muthiyalpet, Chennai
Ex.P12	-	Affidavit of assets showing the net value of the property at Rs.1,17,50,000/-

<i>Exhibits</i>	<i>Date</i>	<i>Documents</i>
Ex.P13	28.07.2015	Consent affidavit given by the 1 st respondent
Ex.P14	28.07.2015	Consent affidavit given by the 2 nd respondent
Ex.P15	28.07.2015	Consent affidavit given by the 3 rd respondent
Ex.P16	21.07.2006	Copy of General Power of Attorney given by the 4 th respondent - Mr.Ravikumar in favour of Mr.S.Venkoba Rao
Ex.P17	28.07.2015	Consent affidavit given by the Power Agent of 4 th respondent
Ex.P18	28.07.2015	Consent affidavit given by the 5 th respondent
Ex.P19	28.07.2015	Consent affidavit given by the 6 th respondent
Ex.P20	22.08.2015	Paper publication effected in "Tamil Daily "Malai Sudar"
Ex.P21	22.08.2015	Paper publication effected in English Daily "News Today"

5. PW.2 was examined to prove the Will. PW.2 in his evidence confirmed that the testatrix executed her last Will and testament in a sound and disposing state of mind and that he along with the other witness attested the Will at the same time. The affidavit of PW.2 was marked as Ex.P22.

6. In view of the averments in the Original Petition, the documents exhibited and the evidence of PW.1 and PW.2, I am satisfied that the petitioners are entitled to the grant of letters of administration.

7. There shall be an order to issue letters of administration with the Will annexed in favour of the petitioners. The petitioners are directed to execute a bond for Rs.25,000/- in favour of Assistant Registrar (O.S).

8. In the upshot, I allow the Original Petition.

mra

18.12.2015

K.K.SASIDHARAN, J

mra

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Pre-Delivery Order in O.P.No.461 of 2015

To

The Hon'ble Mr.JUSTICE K.K.SASIDHARAN

humbly submitted

mra

P.A.