

O.P.No.391 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.

2. The petitioner is the daughter of Mrs.Chandrammal, who died on 25.10.1987. The first respondent is the son of Mrs.Chandrammal. The second respondent is the widow of Mr.Shanmugham, another son of Mrs.Chandrammal. Respondents 3 to 7 are the children born to the second respondent in her lawful wedlock with Mr.Shanmugham.

3. Mrs.Chandrammal executed her last Will and Testament on 19.06.1976. The Will was registered before the Sub-Registrar, Mylapore as per Document No.59 of 1976. The Will was executed in the presence of two witnesses. Mrs.Chandrammal died on 25.10.1987 at Chennai. The Testatrix appointed Mr.Nagappa Mudaliar, her husband and Mr.N.Shanmugham, her son, as the Executors of the Will. Both are no more. The petitioner therefore has come up with this original petition on the strength of her status as the legatee.

4. The petitioner has taken paper publication in "Malai Sudar" and "News Today" on 17.10.2015 and 08.10.2015 respectively. So far no objection has been received from any one.

5. The petitioner was examined as P.W.1. The following documents were marked through her:-

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Certified copy of the Will executed by Mrs.Chandrammal on 19.06.1976 registered as Doc.No.59 of 1976 at SRO, Mylapore.
Ex.P2	Photocopy of death certificate of Mrs.Chandra, who died on 25.10.1987
Ex.P3	Photocopy of death certificate of Mr.Nagappa Mudhalier, who died on 25.11.1997
Ex.P4	Computer generated death certificate of Mr.N.Shanmugham, who died on 05.06.1998.
Ex.P5	Photocopy of Sale Deed dated 12.12.1960 in favour of Mrs.Chandrammal registered as Doc.No.2263 of 1960 at SRO, Mylapore
Ex.P6	Computer generated death certificate of E.Natarajan, who died on 08.10.2000
EX.P7	Computer generated death certificate of K.Ellappa Mudaliar, who died on 30.11.2006
Ex.P8	Original legal heir ship certificate dated 27.01.2016 of the petitioner's mother, issued by Head Quarters, Deputy Tahsildar, Mylapore Taluk, Chennai
Ex.P9	Affidavit of Assets showing the net value of the property for Rs.99,71,000/-
Ex.P10	Copy of Paper Publication effected in Tamil Daily "Malai Sudar" dated 17.10.2015

<i>Exhibits</i>	<i>Documents</i>
Ex.P11	Copy of Paper Publication effected in English Daily "News Today" dated 08.10.2015

6. P.W.2 was examined to identify the signatures of the attesting witnesses in the Will. P.W.2 in her evidence de-posed that she is familiar with the signatures of the attesting witnesses. The affidavit of P.W.2 was marked as Ex.P13.

7. In view of the evidence on record, I am satisfied that the petitioner is entitled to the grant of letters of administration.

8. There shall be an order to issue Letters of Administration with the Will annexed in favour of the petitioner. The petitioner is directed to execute a bond for a sum of Rs.25,000/- in favour of the Assistant Registrar OS-II, High Court, Madras - 600 104, within the statutory period.

In the upshot, I allow the Original Petition.

26.04.2016

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K.K.SASIDHARAN,J.

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