

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

FRIDAY, 29TH DAY OF JANUARY 2016

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

OP.NO.496 OF 2015

In the matter of the Indian
Succession Act XXXVI of 1925
and

In the matter of the Last Will
and Testament of Arun Jayaraman
(Deceased)

Hema Arun and
b). Sanjana Arun
(minor aged 13 years
represented by her mother
and Natural guardian Hema Arun
Both represented by Power R.Prabhakar) ...Petitioner

-vs

Saroja Jayaraman ...Respondent

This Original Petition praying that this Hon'ble
Court be pleased to grant letters of administration to
the property bequeathed to the petitioner bearing Flat
No.B-4 Ahosk Swetha Flats, 1st Floor, Old No.101A, 173 New
No.173/12, Avvai Shanumugam Salai(Lloyds Road),
Royappetah, Chennai 600 014 with Will Annexed of the
deceased Mr.Arun Jayaraman to Petitioners to have effect
through out the State of Tamil Nadu.

This Original Petition coming on this day before this court for hearing the court made the following order:

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 first petitioner is the widow of Thiru.Arun Jayaraman, who died on 21.06.2012. The second petitioner is the son, born to the first petitioner in her lawful wedlock with Thiru.Arun Jayaraman.

3. The husband of the first petitioner executed a Will on 29.11.2010 in the presence of two witnesses. No Executor was appointed under the Will. The petitioners, have therefore come up with this original petition for the grant of letters of administration.

4. The power agent of the petitioners was examined as P.W.1. The following documents were marked through him:-

Exhibits	Documents
Ex.P1	Photocopy of General Power of Attorney dated 07.07.2014 executed by both the petitioners.
Ex.P2	Original unregistered Will dated 29.11.2010 executed by the deceased Mr.Arun Jayaraman
Ex.P3	Original death certificate of Arun Jayaraman, who died on 27.06.2012, issued by State of California, USA
Ex.P4	Photocopy of the legal heirship certificate dated 05.08.2014 in respect of the deceased Arun Jayaraman
Ex.P5	Photocopy of the sale deed dated 18.03.1998 executed by Mrs.Janaki Duraisamy and others through their Power Agent M/s.Ashok Leyland Properties Limited in favour of the deceased

Exhibits	Documents
Ex.P6	Affidavit of asses showing the net value of the estate for Rs.31,00,000/-
Ex.P7	Paper Publication effected in Tamil Daily "Makkal Kural" dated 15.10.2015
Ex.P8	Paper publication effected in English Daily "Trinity Mirror" dated 23.10.2015

5. P.W.2 was examined to prove the Will. P.W.2 in his evidence confirmed that the Testator executed his 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 P.W.2 was marked as Ex.P9.

6. In view of the evidence on record, I am satisfied that the petitioners are entitled to 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 a sum of Rs.25,000/- in favour of Assistant Registrar OS-II, High Court, Madras - 600 104.

In the upshot, I allow the Original Petition.

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Sd/K.K.S.J
29.01.2016

//Certified to be a true copy//

Dated this the day of 2017

R.s/04.01.2017

COURT OFFICER

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