

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

THURSDAY, THE 20th DAY OF JUNE 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P. No.32 of 2008

In the matter of Indian
Succession Act XXXIX of
1925 and
In the matter of the Last
Will and Testament of
G.Rajaram-Deceased

1.Mr.R.Radhakrishnan,
residing at No.44
Rukumani Street,
West Mambalam,
Chennai 600 033

2.Mr.R.Sundaram,
residing at No.44
Rukumani Street,
West Mambalam,
Chennai 600 033

...Petitioners

-vs-

1.Smt. R.Mangalam,
residing at No.44, Rukumani Street,
West Mambalam, Chennai 33

2.Mrs.P.Janaki,
Old No.21, New No.22
Subam Flats,
Ramakrishnapuram, II Street,
West Mambalam, Chennai 33

3.Mrs.R.Lalitha,
Old No.2, new No.3,
Kodambakkam Road, (West)
Mettupalayam, West Mambalam,
Chennai 33

4.Mrs.R.Radha,
residing at Quarter No.195
Block No.23, Lodhi Colony,
Type-4, Opp.To Lodhi Colony,
Railway Station, New Delhi 110 003

...Respondents

Original Petition praying that this Honble Court be pleased that Letters of Administration with the Will annexed may be granted to them as the sons/legatees under the Will of the said deceased having effect is limited to the State of Tamil Nadu.

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

The petitioners seek issuance of letters of administration for the Will dated 02.10.2001 with the copy of the Will annexed.

2. The testator G.Rajaram died on 18.09.2003. The petitioners are the sons and respondents are the wife and daughters of the deceased. The first respondent namely, R.Managalam, who is the wife of the testator died during the pendency of the original petition. The death certificate of the testator has been marked as Ex.P1 and the death certificate of the first respondent R.Mangalam has been marked as Ex.P5. The legal heirship certificate of the deceased R.Mangalam has been produced as Ex.P6. A perusal of the Ex.P6 shows that the petitioners and respondents 2 to 4 are the legal heirs. Publication has also been effected and no objections have been received.

3. The first respondent had given a consent affidavit even during the life time expressing her no objection for grant of letters of administration in favour of the petitioners and the same has been marked as Ex.P4. The consent affidavit of the 4th respondent has been marked as Ex.P7. The two daughters namely, the 2nd and 3rd respondents have filed their consent affidavits expressing no objection for grant of letters of administration in favour of the petitioners, which have been marked as Exs.P11 and P12. The petitioners have also examined one M.S.Nagarajan, who figures as attesting witness to the Will as P.W.4. The said Nagarajan has spoken about the execution of the Will by the testator and its attestation by himself and one G.M.Lingam.

4. In view of the above evidence, I find that the petitioners have proved the Will and they are entitled to letters of administration. In fine, this original petition is allowed granting letters of administration with the copy of the Will annexed in favour of the petitioners. Petitioners shall execute a bond for a sum of Rs.10,000/- each.

sd/-R.S.M.J

20.06.2019

//Certified to be a true copy//
Dated this the day of 2019.

R.s/27.06.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.