

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

TUESDAY, THE 27TH DAY OF AUGUST 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.392 of 2019

In the matter of the Indian
Succession Act XXXIX of
1925

and

In the matter of the last
original Registered Will
dated 24.08.2009 and
Testament of P.Kannan
S/o.Periyanna Chettiar
(Deceased)

1.K.Madhusudhan
S/o.Late P.Kannan,
Old No.12-A, New No.25-A,
5th Trust Cross Street,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 028

2.Tmt. Kasthuri
W/o.Late P.Kannan,
Old No.12-A, New No.25-A,
5th Trust Cross Street,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 028

3.Tmt. M.Sumathi,
W/o.Mr.B.V.Mohankrishnan,
No.6, Potters Street, Kellys
Kilpauk, Chennai 600 010

4.Mr.B.V.Mohanakrishnan
S/o.B.K.Venkatesan,
No.6, Potters Street, Kellys
Kilpauk, Chennai 600 010

5.M.Mahalakshmi,
W/o.K.Madhusudhan,
Old No.12-A, New No.25-A,
5th Trust Cross Street,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 028

6.M.Balaji,
S/o.Mohan Krishnan,
No.6,Potters Street, Kellys
Kilpauk, Chennai 600 010

7.M.Gokul,
S/o.Mohan Krishnan,
No.6,Potters Street, Kellys
Kilpauk, Chennai 600 010

8.M.Swetha,
Rep.by Natural Guardian Father,
K.Madhusudhan,
Old No.12-A, New No.25-A,
5th Trust Cross Street,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 028

9.M.Akshaya,
Rep.by Natural Guardian Father,
K.Madhusudhan,
Old No.12-A, New No.25-A,
5th Trust Cross Street,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 028

...Petitioners

-vs-

-Nil-

...Respondent

Original Petition praying that this Honble Court be pleased to

(a) Petitioners 1 to 7 most respectfully prays that the Letters of Administration with the Will Annexed may be granted to the Petitioners 1 to 7 as the Son, Wife,

Daughter, Son-in-law, Daughter -in-law,
Grandson/Beneficiaries under the Will of the said deceased
having effect limited to the state of Tamil Nadu.

And

(b). The Petitioner 8 and 9 most respectfully prays that the Letters of Administration with the Will annexed may be granted to Natural guardian and their father the 1st petitioner herein on behalf of them as grand son and grand daughter/Beneficiaries under the Will of the said deceased for the use and benefit of the minors until they attain the age of majority having effect 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 Letters of Administration with a copy of the Will annexed in respect of the Will dated 24.08.2009 executed by late P.Kannan S/o. Periyanna Chettiar. The Testator died on 05.12.2018.

2. The petitioners are the beneficiaries under the Will. The 1st petitioner has been examined as PW1. He has produced the original Will as Ex.P1 and the death certificate of the Testator as Ex.P2. The legal heirship certificate of the Testator has been filed as Ex.P3. A perusal of Ex.P3 shows that the petitioners 1 to 3 are the legal heirs of the deceased P.Kannan. Necessary publications have been effected and no objections have been received.

3. The petitioners have also examined Mr.N.Kumar as PW2. He figures as an Attestor in the Will. He has deposed about the execution of the Will by the Testator and

its attestation by himself and the other attesting witness Mrs.Kasthuri. The other attesting witness Kasthuri has been examined as PW3. She has also deposed about the execution of the Will by the Testator and its attestation by her along with PW2.

4. In the light of the said evidence, I find that the petitioners have proved the Will and are entitled to Letters of Administration with a copy of the Will annexed.

5. Accordingly, this Original Petition is allowed granting Letters of Administration with a copy of the Will annexed. The petitioners 1 to 3 shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) each in favour of the Assistant Registrar (O.S.II), High Court, Madras.

Sd/.R.S.M.J

27.08.2019

//Certified to be a true copy//

Dated this the day of 2019.

R.s/03.09.2019

COURT OFFICER

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