

OP No.462 of 2015**R.SUBRAMANIAN.J.,**

The petitioner seeks Letters of Administration with the copy of the Will annexed for the Will dated 01.08.1990, executed by Dr.K.Venkata Rao, who died on 18.08.1995.

2. The petitioner is one of the legatees and the grandson of the testator. The executor appointed under the Will namely, the father of the petitioner died on 20.02.2012, without taking any steps for probating the said Will. The other legal heirs of the deceased Dr.K.Venkata Rao have been impleaded as respondents 1 to 10.

3. The petitioner has been examined himself as P.W.1. He has produced the Will as Ex.P1. The Death Certificate and the Legal Heirship Certificate of the deceased Dr.K.Venkata Rao have been produced as Exs.P2 and P3. The Death Certificate and the Legal Heirship Certificate of the executor K.Ramagopal have been produced as Exs.P4 and P5. The consent affidavits executed by the respondents 1, 2, 3 and 5 are marked as Exs.P7 to P10. Though the publication has been made regarding the claim, no objections have been received.

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4. Though the other respondents were served in the Original Petition, they have not chosen to oppose the grant.

5. One Mr.K.Sundar, has been examined as P.W.2, he had identified the signature of the two attesting witnesses, namely, Mr.Raghupathi Rao and Mr.Srikanth Achar. He has also stated that he had witnessed the execution of the Will by the testator and he is familiar with the signatures of the testator and the attesting witnesses. In the light of the said evidence, I find that the petitioner has proved the execution of the Will and he is entitled to Letters of Administration with the copy of the Will annexed.

6. In view of the above, this Original Petition is allowed granting Letters of Administration in favour of the petitioner in respect of the Will dated 01.08.1990, of the deceased Dr.K.Venkata Rao. The petitioner shall execute a bond for a sum of Rs.10,000/-.

15.07.2019

jv

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