

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 26TH DAY OF MARCH, 2019

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

O.P.No.695 OF 2013

In the matter of Indian
Succession Act XXXIX of 1925
AND

In the matter of the Last
Will and Testament of
Mrs.S.Mohanavalli (Deceased)

S.Srinivasan Petitioner

Vs.

1) S.Parthasarathy

2) S.Kausalya

3) S.Madhupalathy Respondents

Original petition praying that this Hon'ble Court be pleased to that letters of Administration with Will annexed of the properties and credits of the deceased may be granted to the Petitioner as one of the son/sole beneficiary under the Will of the said deceased limited to the state of Tamilnadu.

This Original Petition coming on this day before this Court for hearing, the Court made the followings order:-

This petitioner seeks Letters of Administration with the Will annexed for the properties and credits of the deceased S.Mohana Valli. The said Mohana Valli died on

2. The petitioner is one of the son and the respondents are the other son and daughters of the deceased S.Mohana Valli.

3. Despite service of notice, respondents have not entered appearance and opposed the grant of Letters of Administration.

4. The petitioner has examined himself as PW1. He has produced the death certificate of the deceased Mohanavalli which was marked as Ex.P1. The original Will was marked as Ex.P2. Original legal heirship certificate was marked as Ex.P3. From Ex.P3 it is seen that the petitioner and the respondents are the legal heirs of the deceased Mohanavalli and her husband predeceased her. The petitioner has also examined one K.V.Rajan as PW2, who is practicing Advocate acquainted with the signatures of S.Mohanavalli and the attesting witnesses to the Will. He has filed proof affidavit stating that he has seen the testatrix executing the Will and its attestation by the attesting witnesses. He has also filed an affidavit in this regard, which has been marked as Ex.P7.

5. In view of the above evidence, I find that the petitioner has proved the Will and he is entitled to the Letters of Administration with the Will annexed. This

Original Petition is therefore allowed, granting Letters of Administration with a copy of the Will annexed for the Will dated 26.10.1995. The petitioner shall execute a Bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) in favour of the Assistant Registrar (O.S.II), High Court, Madras.

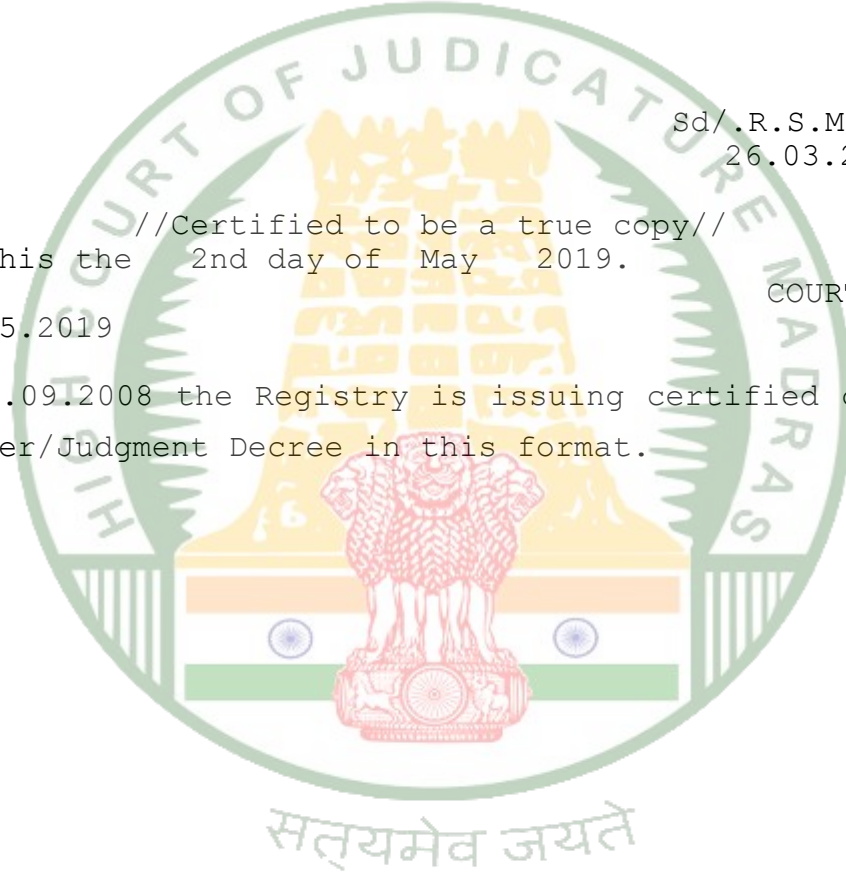
Sd/.R.S.M.J
26.03.2019

//Certified to be a true copy//
Dated this the 2nd day of May 2019.

COURT OFFICER

TE/02.05.2019

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



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