

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.259 of 2018

Mr.Umesh Chandra ... Petitioner

Vs.

1.Mrs.Dhanalakshmi Devi [now deceased]

(Amended as per order dated 21.01.2019 in
A.No.435 of 2019 in O.P.No.259 of 2018)

2.Dr.[Mrs] Shyla Raghuram

3.Dr.[Mrs] Vani Rao

4.Mrs.Sunanda Santappa

5.Dr.Ravishankar

... Respondents

For petitioner: Mr.K.F.Manavalan

Prayer: Original Petition filed under Sections 232 and 276 of the Indian Succession Act, 1925 read with Order XXV, Rule 5 of Original Side rules praying that Letters of Administration may be granted to him as a legatee under the Last Will and Testament dated 25.05.2002 of the late Dr.M.Santappa (deceased) having effect throughout the State of Tamil Nadu.

ORDER

The petitioner seeks issuance of Letters of Administration with the Will annexed for the Last Will and Testament of Dr.M.Santappa dated 25.05.2002.

2.The testator Viz., Dr.M.Santappa had died on 08.03.2017 leaving behind the petitioner and the respondents as his legal representatives. The 1st respondent, wife of Dr.M.Santappa died pending the above Original petition. The other respondents viz., daughters and sons of Dr.M.Santappa have filed consent affidavits expressing their consent for grant of Letters of Administration in favour of the petitioner.

3.The petitioner has been examined as PW1. He has produced death certificate, original will executed by the testator, legal heirship certificate and death certificate of the 1st respondent as Ex.P.1, Ex.P.3, Ex.P.4 and Ex.P.5 respectively. A publication has also been effected as required. One of the attesting witnesses Dr.M.John Sebastian has also been examined as PW2. He has also spoken about the execution and attestation of the will. One of the daughters viz., 4th respondent

<http://www.judis.nic.in> Mrs.Sunanda Santappa has been examined as PW3. She has also spoken

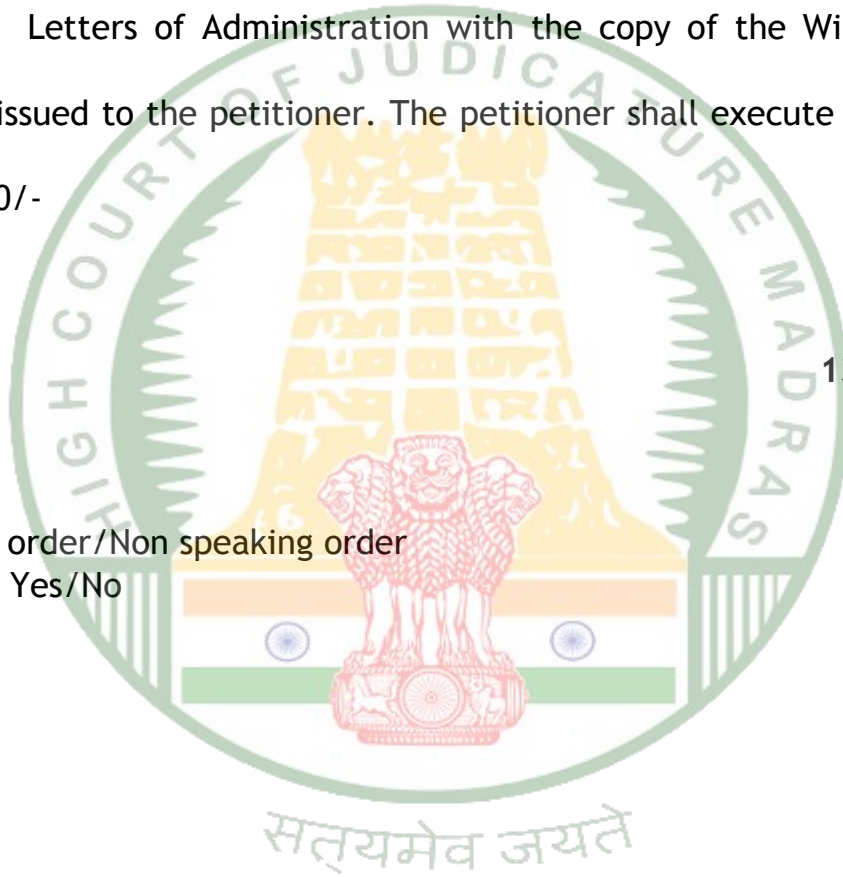
about the execution of the will as well as the fact that the other heirs have no objection for the grant of Letters of Administration.

4. In view of the above, this Original Petition will stand allowed. Letters of Administration with the copy of the Will annexed shall be issued to the petitioner. The petitioner shall execute a bond for Rs.25,000/-

13.02.2019

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Speaking order/Non speaking order
Internet: Yes/No



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R.SUBRAMANIAN.J.,

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