

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 26TH DAY OF MARCH 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P. No.365 of 2018

In the matter of Indian
Succession Act XXXIX of 1925
and

In the matter of the Last
Will and Testament of
R.Rajiah (Deceased)

1. R.Fredrick Basker
S/o Late R.Rajaiah
Old No.26A, New No.34,
North Crescent Road,
T.Nagar, Chennai - 600 017.

2. R.Daniel Mdhukar
S/o Late R.Rajaiah
Old No.26A, New No.34,
North Crescent Road,
T.Nagar, Chennai - 600 017.

... Petitioners

-Versus-

1.Usha Chandrasekar
W/o Dr.Samuvel
No.17B/1, Samanagar
Tirupathur
Tirupathur Taluk
Vellore District.

2. Alfred Ramesh
S/o Late Rajaiah
58-4, Kirappati Colony Main Road,
Trichy District 620 012.

... Respondents

Original Petition praying that this Hon'ble Court be
pleased that letter of Administration with the will annexed
may be granted to them beneficiaries of the deceased having
effect throughout the State of Tamil Nadu.

<https://hcservices.ecourts.gov.in/hcservices/> 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 with the Will annexed for the last Will and testament of R.Rajaiah dated 15.02.1999. The said Rajaiah died on 16.12.2008.

2. The petitioners are the sons, while the first respondent is the daughter and the second respondent is another son of the deceased Rajaiah. The deceased Rajaiah's wife Mrs.Helen Rajaiah died on 06.07.2012. The first petitioner has been examined as P.W.1, he has produced the original Will dated 15.02.2009 as Ex.P1 and the death certificate of R.Rajaiah as Ex.P2. The legal heirship certificate of the testator Rajaiah has been filed as Ex.P3. Ex.P3 reveals that the petitioners and the respondents are the legal heirs and the wife of Rajaiah died on 06.07.2012. The respondents have filed their consent affidavits expressing their consent for grant of letters of administration with the Will annexed in favour of the petitioners.

3. The petitioners examined one T.E.Swittens as P.W.3. The said witness is the brother's son of Mrs.Helen Rajaiah, who is an attesting witness to the said Will. The said witness has identified the signature of the attesor as well as the testator found in the Will.

4. In view of the said evidence, I find that the petitioners are proved the Will and they are entitled to letters of administration with the copy of the Will annexed. Hence, the original petition is allowed granting letters of administration with the Will annexed in favour of the petitioners. Petitioners shall execute a bond for Rs.25,000/-.

Sd/.R.S.M.J.
26/03/2019

//Certified to be a true copy//

Dated this the th day of 2019.

GJM/10.04.2019

COURT OFFICER

<https://hcservices.ecourts.gov.in/hcservices/>

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