

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

SATURDAY, THE 27TH DAY OF APRIL, 2019

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

O.P.No.601 OF 2018

In the matter of Indian
Succession Act XXXIX of 1925
AND

In the matter of LAST WILL
and Testament of C.Kasthuri,
Deceased

J.Vijayalakhmi
W/o.Jayabalan
No.82/38 3rd Street, Jayalalitha Nagar,
Thiruvottriyur, Chennai-600 019

... Petitioner

Vs.

1.C.Ravi
S/o.Mr.Chinnappan
No.174, Mangammal Thottam,
Jeeva Nagar, Chennai-81

2.C.Saravanan
S/o.r.Chinnappan
Old No.161, New No.130,
Mangammal Thottam, Jeeva Nagar,
Tondairpet, Chennai-81

... Respondents

Original petition praying that this Hon'ble Court be
pleased to grant Letters of administration annexed with
the Will to the petitioner as daughter/beneficiary under
the Will of the said deceased having effect limited to the
state of Tamil.

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

"The petitioner seeks issuance of Letters of Administration with a copy of the Will annexed for the last Will and Testament, dated 11.06.2010, of late C.Kasthuri, who died on 02.04.2017 at Chennai.

2. The petitioner is the daughter of said C.Kasthuri. The respondents 1 and 2 are her sons. The petitioner is the Legatee under the said Will. The petitioner has examined herself as PW1. She has produced the original Will as Ex.P1, the death certificate as Ex.P2 and the legal heirship certificate as Ex.P8.

3. The husband of the petitioner has been examined as PW2. He has spoken about the execution and registration of the Will by his mother-in-law. He has also spoken about the fact that the Will was attested by the two attesting witnesses and he has identified the signatures of the attesting witnesses.

4. The respondents though served have not entered appearance to contest the petition. Publication has been made in the dailies and no objections have been received.

5. In view of the above evidence available, I am satisfied that the petitioner has proved the execution of the Will and is entitled to Letters of Administration with a copy of the Will annexed. Hence, this Original Petition is allowed granting Letters of Administration with a copy

of the Will annexed in favour of the petitioner. The petitioner shall execute a security 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
27.04.2019

//Certified to be a true copy//

Dated this the 3rd day of May 2019.

COURT OFFICER

TE/03/05/2019

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



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