

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 15TH DAY OF MARCH 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P. No.675 of 2018

In the matter of Indian
Succession Act (XXXIX of
1925)

and

In the matter of Last
Will and Testament dated
06.03.1995 of (1)
M.Arumugam (Deceased)
Died on 19.07.2006 and
(2) A.Valliammal
(Deceased) died on
25.03.2002.

1.A.Govindammal
W/o Late M.Arumugam
N.No.18, O.No.32,
Arunachalam Road,
Saligramam, Chennai-93

2. A.Damodharan
S/o Late M.Arumugam
N.No.18, O.No.32,
Arunachalam Road,
Saligramam, Chennai-93

3.A. Ramadoss
S/o Late M.Arumugam
N.No.18, O.No.32,
Arunachalam Road,
Saligramam, Chennai-93

...Petitioners

-Versus-

1. K.Yasodha
W/o of M.Krishnan &
D/o Late M.Arumugam
Mo.32, Sriramulu Street,
Saligramam, Chennai -93.

2. S. Padma
W/o of B.Subramanian &
D/o Late M.Arumugam

No.32, Sriramulu Street,
Saligaramam, Chennai -93

...Respondents

Original Petition praying that this Hon'ble Court be pleased that Letters of Administration with the Will dated 06.03.1995 annexed may be granted to the Petitioners-2 & 3 herein as beneficiaries/Legatee under the Will having effect to the State of Tamil Nadu.

This Original petition coming on this day before this Court for hearing and the court made the following Order :

The petitioners seek issuance of letters of administration with the copy of the Will annexed in respect of the Joint Will dated 06.03.1995 executed by M.Arumugam and Mrs.A.Valliammal, who are the husband and wife.

2. The first petitioner is the second wife of the deceased M.Arumugam. While the petitioners 2 and 3 are the sons, the respondents 1 and 2 are the daughters of the deceased M.Arumugam. The second petitioner has been examined as P.W.1, he has produced the original Will as Ex.P2 and the death certificates of Mrs.A.Valliammal and M.Arumugam as Exs.P3 and P4 respectively. The consent affidavits given by the respondents 1 and 2 have been marked as Exs.P5 and P6. The petitioners have also examined one A.Balu as Ex.P.W.3, he has spoken about the execution of the Will by the testator and its attestation by himself and Mr.Kanniyappan.

3. In view of the above, I am satisfied that the petitioners are proved the execution of the Will dated 06.03.1995 and they are entitled to letters of administration with the copy of the Will annexed.

4.Hence, the original petition is allowed granting letters of administration with the copy of the Will annexed in favour of the petitioners. Petitioners shall execute a bond for Rs.25,000/-.

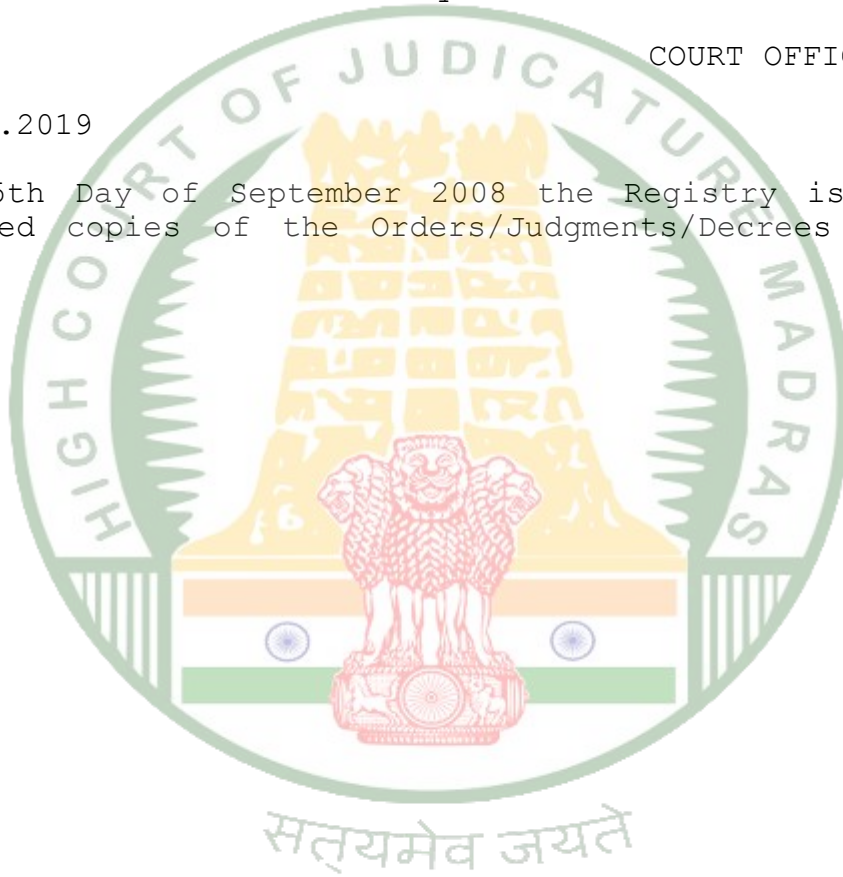
Sd/- R.S.M.J.
15.03.2019

//Certified to be true copy//
Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

GJM-2.4.2019

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