

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

WEDNESDAY, THE 28TH DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No.752 of 2018

In the matter of Indian
Succession Act, XXXIX of
1925
and
In the matter of
Last Will and Testament
of deceased N.Ramanathan

1. K.N.NAGARAJAN
residing at 2A, Vinayaka, 34,
Bakthavachalam Salai, Mylapore,
Chennai- 600 004 ..Petitioner

-Vs-

1.DR.KALYANI
No.24/7, Palayakaran Cross Street, Kodambakkam,
Chennai- 600 024

2. VIDHYA DHEVI
No.440, Alegra Terrace, Milpitas, California 95035

3. GOKUL RAMANATHAN
24/7, Palayakaran Cross Street,
Kodambakkam, Chennai- 600 024 ..Respondents

Original Petition praying that this Hon'ble Court be
pleased that Letters of Administration with the Will
annexed may be granted to the petitioner as father/legatees
under Will of the said deceased Mr.N.Ramanathan, dated
23.11.2015, having effect limited to the State of Tamil
Nadu.

This Original Petition coming on this day before this
court for hearing the court made the following order:

The petitioner seeks Letters of Administration with a copy
of the Will annexed in respect of the Will dated
23.11.2015, said to have been executed by his son late
Mr.N.Ramanathan who died on 07.03.2016. The respondents
are the wife and children of the deceased.

2. The petitioner has been examined as P.W.1. He has produced the death certificate of the testator as Ex.P1 and the original will as Ex.P2. The legal heir ship certificate has been produced as Ex.P3. The consent affidavits given by the respondents 1 to 3 namely wife and the children of the deceased have been marked as Exs.P4 to P6.

3. A perusal of Ex.P3 shows that the respondents 1 to 3 are the only legal heirs of the deceased.

4. The petitioner has also examined one Venkatanarayanan who figures as the attesting witness of the Will. He has spoken about the execution of the Will by the testator and its attestation by himself and one Mr.K.Ramesh. Necessary publications have also been made and no objection has been received.

5. In view of the said evidence, I find that the petitioner has proved the execution of the Will and is entitled to the letters of administration with the copy of the Will annexed. Hence, this original petition is allowed granting letters of administration with the copy of the Will annexed in respect of the Will dated 23.11.2015 in favour of the petitioner. Petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras.

Sd/.R.S.M.J
28.08.2019

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

SU/13.09.2019

COURT OFFICER

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