

O.P.No.691 of 2016**R.SUBRAMANIAN.J.,**

The petitioner seeks issuance of Letters of Administration in respect of the Will dated 07.03.2012 executed by late C.Ganesan who died on 06.11.2014.

2. Mrs.Saroja Wife of C.Ganesan also died on 15.11.2014. The petitioner is the brother of said deceased Saraoja. The respondents 1 and 2 are the children of the petitioner. The 3rd respondent is said to be a servant who was working for the deceased Saroja. Though all the three respondents have been served, they have not chosen to appear and oppose the grant.

3. The petitioner has examined himself as PW1. He has produced the death certificate of C.Ganesan as Ex.P1. The original Will has been marked as Ex.P2. It is a registered instrument. Ex.P3 is the death certificate of Saroja. Ex.P5 and Ex.P6 are the consent affidavits of the 1st and 2nd respondents, who have expressed their consent for grant of Letters of Administration in favour of the petitioner. Publications as required have been effected and no objections have been received. The petitioner has examined one E.Ravi as PW2. The said E.Ravi, who is the attesting witness has deposed about the execution of the Will by the Testator and its attestation by himself and one G.Devendran.

4. From the evidence available, I find that the petitioner has proved the execution of the Will by the Testator and he is entitled to Letters of

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Administration with a copy of the Will annexed. Hence, this Original Petition is **allowed** granting Letters of Administration in favour of the petitioner with a copy of the Will annexed. The petitioner shall execute a security bond for a sum of Rs.10,000/- (Rupees ten thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras.

11.07.2019

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