

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

FRIDAY, THE 16TH DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No.327 of 2017

In the matter of the Indian
Succession Act XXXIX of 1925
and

In the matter of Last Will and
Testament of Dhamaramadugu
Sarabiah Deva (Deceased)

1.TMT.D.REVATHY

2.TMT.D.S.SUBHASHINI

3.TMT.D.S.SUROOPA

4.TMT.D.S.SUMALATHA

5. TMT.D.S.PRAMEELA

all residing at No.41/20,
Thanthoniamman Koil Street,
Agaram, Chennai-600082.

...Petitioners

-VS-

MRS.PAVALLASUGUNAMMA,
Flat D, 3rd Floor,
Srinivasa Theja Residency,
Theagarayangar, Tirupathi.

..Respondent

Original Petition praying that this Hon'ble Court be
pleased that the Letters of Administration with the Will
annexed may be granded to them as Sarabiah Devar's grand
children/beneficiaries under the Will to have effect
through the State of Tamil Nadu.

This Original Petition coming on this day before

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

this court for hearing the court made the following order:

The petitioners seek Letters of Administration with a copy of the Will annexed in respect of the Will dated 09.10.1986, said to have been executed by late D.Sarabiah Devar, who died on 15.03.1991.

2. The petitioners are the grandchildren of the testator. It is stated that the wife of the testator died on 13.04.2012. The son of the testator S.Subramaniam died on 29.07.2003. The sole respondent is the daughter of the testator.

3. The 4th petitioner has been examined as P.W.1. She has produced the Death Certificate of the testator as Ex.P1 and the original Will as Ex.P2. The death certificate of the son of the testator Subramaniam and the wife of the testator Mrs.Bramaramba have been marked as Exs.P4 and P5 respectively. The legal heirship certificate of D.Sarabiah Devar has been marked as Ex.P6. Necessary publications have also been effected as required under law and no objection has been received. The respondent has not been appeared despite service.

4. The petitioners have also examined one Ethirajulu. He has filed an affidavit identifying the signature of the testator and the attesting witnesses. He has deposed before the Commissioner of Oaths on 03.01.2017.

5. In view of the said evidence, I find that the petitioners have proved the execution of the Will as required under law and they are entitled to 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. Petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each in favour of the Assistant Registrar (O.S.II), High Court, Madras.

Sd/-R.S.M.J.

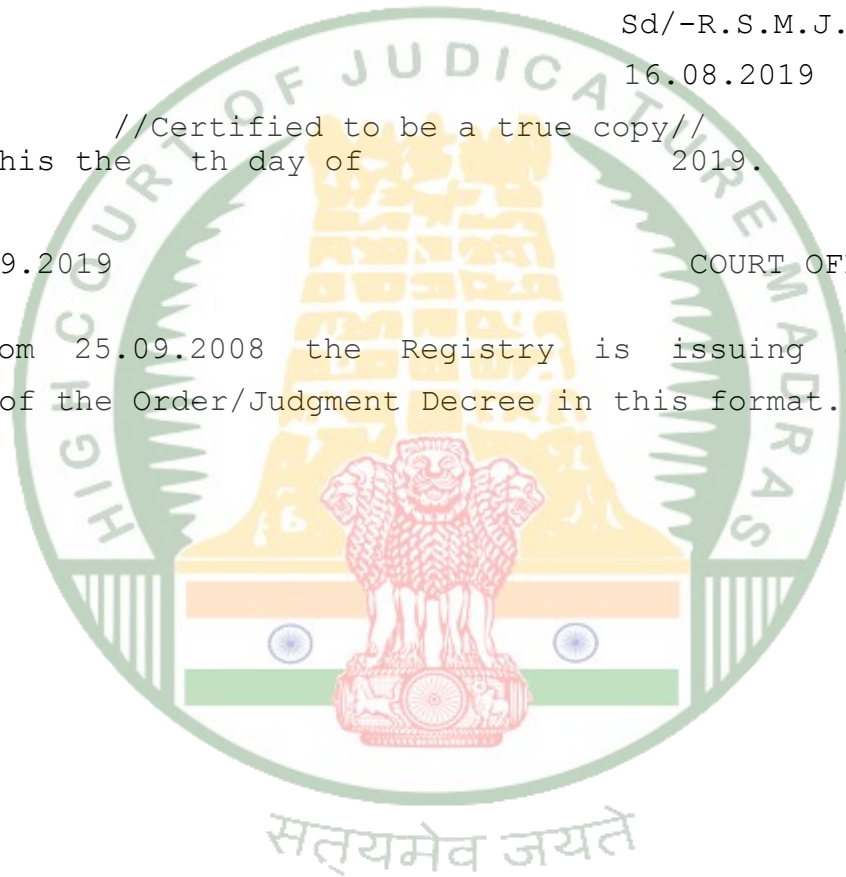
16.08.2019

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

Su/12.09.2019

COURT OFFICER

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



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