

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

TUESDAY, THE 25TH DAY OF JUNE 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.83 of 2017

In the matter of the Indian  
Succession Act XXXIX of 1925  
and  
In the matter of Last Will  
and Testament of BOOMI DEVI  
(Deceased)

Dr.P.Palanichamy,

..Petitioner

-vs-

1.Saraswathy,

2.Nachiyar

..Respondents

Original Petition praying that this Hon'ble Court be pleased that Letter of Administration with Will annexed may be granted to the petitioner as the Son/Sole beneficiary/legatee under the Will of the said deceased 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 issuance of letters of administration in respect of the Will dated 12.10.2004 executed by Mrs. Boomi Devi, who was the mother of the petitioner. The said Boomi Devi died on 07.07.2005.

2. The respondents are the sisters of the petitioner. The petitioner has examined himself as P.W.1, he has produced produced the death certificate of the deceased Boomi Devi as Ex.P1 and original registered Will as Ex.P2. The legal heirship certificate has been produced as Ex.P4. Publications have been also effected as required under law and no objections have been received. The respondents though served and appeared through counsel had not object to grant of letters of administration. They have neither filed a caveat nor chosen to examine themselves as witnesses. The petitioner has also examined one Sethupathi Palaniyappan as P.W.2. He is also the brother of the testatrix. He had identified the signature of the attesting witnesses, P.L.Palanichamy and P.L.Shanthi and that of the testatrix.

3. In view of the said evidence, I find that the petitioner has proved the execution of the Will and is entitled to letters of administration with the copy of the Will annexed. Petitioner shall execute a bond for a sum of Rs.10,000/-.

Sd/.R.S.M.J

25.06.2019

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