

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

TUESDAY, THE 19TH DAY OF FEBRUARY 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No.954 of 2017

In the matter of Indian
Succession Act, XXXIX of 1925
and
In the matter of Last Will and
Testament of C.R.Saraswathy
(deceased)

S.Venkataramanan
S/o.Late C.K.Shyam Sundar
Old No.51/24, R.A.Puram
Chennai - 600 028.

...Petitioner

-Vs-

1.C.K.Prabhakaran
S/o.Krishnappa

2.Vasantha Kumari
W/o.C.K.Prabhakaran

Both are residing at
Old no.44, Vembuli Subedar Street
Alandur, Chennai - 600 016.

3.K.Babu
S/o.Kamalakkannan

4.Tmt.Sasikala
W/o.K.Babu

Both (3&4) are residing at
Plot No.50, K.K.Nagar
11th Cross Street
Sinivasapuram
Guduvancherry - 609 202.

...Respondents

Original petition Application praying that this Hon'ble Court be pleased that Letters of Administration of the properties and credits of the deceased with a WILL annexed may be granted to him as Nephew/one of the beneficiary under the WILL of the said deceased C.K.Saraswathy, having effect throughout 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 with the Will annexed over the said Will and testament of Mrs.C.K.Saraswathy, who died on 25.05.2015. The testator's husband predeceased her on 21.05.1987, and it is stated that the testator had no issues. The petitioner is the nephew of the testator. The other legal heirs, namely, the brother, brother's wife, brother-in-law and brother-in-law's wife are impleaded as respondents. The respondents have filed the consent affidavits expressing their consent for grant of letters of administration to the Will dated 12.05.2014.

2. The petitioner has been examined as Ex.P.W.1 and he has produced the original Will dated 12.05.2014. The death certificate of the testator has been marked Ex.P4, the death certificate of the other brother of the testator has been marked as Ex.P5, and the death certificate of the husband of the testator has been marked as Ex.P6. Publications have effected in one English and Tamil daily, as required. One

T.S.Vijayakumar, attestator to the Will has been examined as P.W.2, he has deposed about the execution of the Will by the testator and its attestation by himself and Mr.P.Yogiraja. The Will has also been registered as document No.50 of 2014.

3. Considering the above evidence on record, the application is allowed and the letters of administration is issued in favour of the petitioner with the Will annexed. Petitioner shall execute the bond for Rs.25,000/-.

Sd/.R.S.M.J.

19.02.2019

//Certified to be a true copy//

Dated this th day of 2019.

DL/25.02.2019

COURT OFFICER

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

सत्यमेव जयते

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