

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. 974 of 2018

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

M.SANKAR
No.4/487, 88th Street, Muthamizh Nagar,
Kodungaiyur, Chennai-600018.

1. PADMAVATHY
W/o.Late Munusamy,
Kodungaiyur,
No.4/487, 88th Street, Muthamizh Nagar,
Kodungaiyur, Chennai-600118.

2. GOPINATH
No.1/193, 25th Street, Muthamizh Nagar,
Kodungaiyur, Chennai-600118.

3. JAGADESAN
No.17/43A, Nehru Street, Mullipattu Road,
(Oppt to TNHB), Mullipattu, Sevoore Vazhi,
Arani-632316

4. S.RANI
No.1/265, 20th Street, Muthamizh Nagar,
Kodungaiyur, Chennai-118. ...Respondents

Original Petition praying that this Hon'ble Court be pleased to grant Letters of Administration with the Will dated 14.05.2015 annexed of the property and credits of deceased granted to the Petitioner as son/beneficiary under the Will of the deceased Munusamy to have effect throughout the state of Tamilnadu.

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 14.05.2015, said to have been executed by late M.Munusamy, who died on 16.05.2015. The petitioner is the son and the respondents are daughters and another son of the testator.

2. The petitioner has examined himself 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 heirship certificate of late M.Munusamy has been marked as Ex.P3.

3. The petitioner has also examined the wife of the testator as P.W.2. She has spoken about the execution of the Will by the testator and its attestation by herself and the other witnesses.

4. One of the daughters of the testator S.Rani who figures as the 4th respondent, has been examined as P.W.3. She has also spoken about the execution of the Will by the testator and its attestation by herself and other witnesses.

5. Though other respondents have entered appearance through counsel, they have not objected for the grant of letters of administration in favour of the petitioner. Necessary publications have also been effected as required under law and no objection has been received.

6. In view of the said evidence, I find that the petitioner has proved the execution of the Will as required under law and he is 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 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

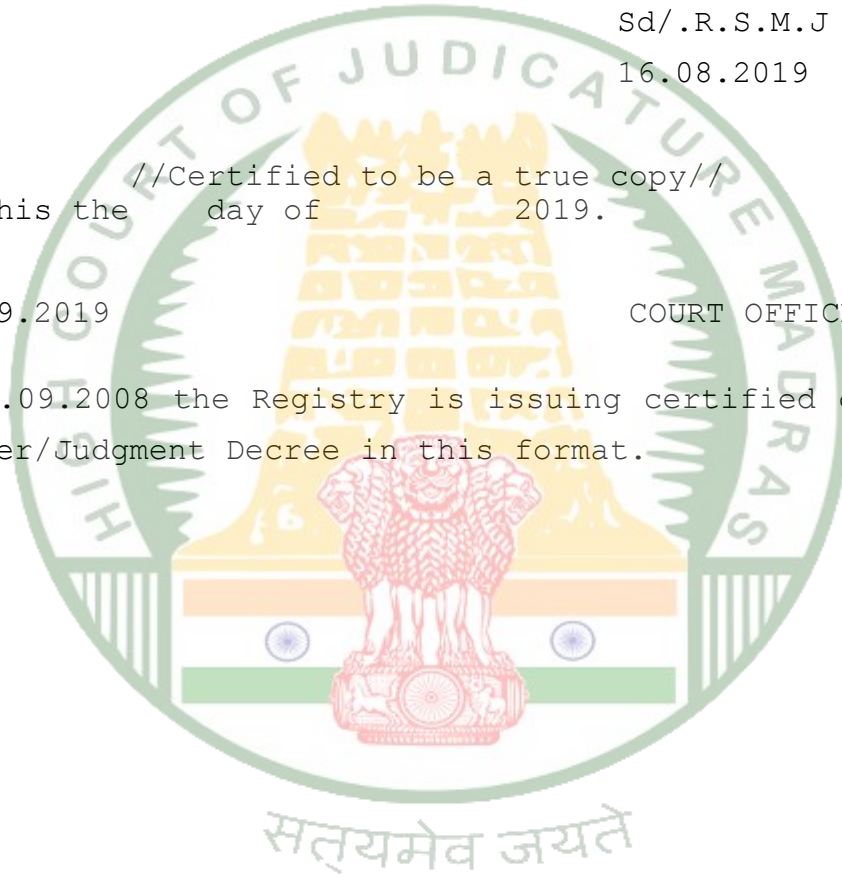
16.08.2019

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

SU/10.09.2019

COURT OFFICER

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



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