

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

TUESDAY, THE 13TH DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P. No.921 of 2018

In the matter of the Indian
Succession Act XXXIX of
1925

and

In the matter of Last Will
and Testament of
S.Kshetrabalan (Since
Deceased) dated 14.05.2016

Subramanian Theroor Loganathan,
S/o.T.S.Loganathan,
D, Block, Old No.42, New No.16
IV Street, Anna Nagar East,
Chennai 600 102

...Petitioner

-vs-

1.Umayammal Kshetrabalan Charitable Trust,
By C.Sankaranarayana Pillai,
S/o.Chidambarathanu Pillai,
Trustee-cum-Secretary

2.Dr.Gomathy Subramanian MD,
Trustee,
Umayammal Kshetrabalan Charitable Trust

3.T.Manivannan,
Trustee,
Umayammal Kshetrabalan Charitable Trust
Respondents 1 to 3 are having their
Trust Office at
'D', Block, Old No.D-42
New No.16, IV Street,
Anna Nagar(East)
Chennai 600 102

...Respondents

Original Petition praying that this Honble Court be pleased to grant the Letters of Administration with the Last Will and Testament dated 14.05.2016 annexed to the property and credits to the petitioner as nephew/beneficiary under the Will of the deceased limited to the Union of India.

This Original Petition coming on this day before this Court for hearing the court made the following order:

This Original Petition has been filed seeking Letters of Administration for the last Will and Testament of late Mr.S.Kshetrabalan dated 14.05.2016.

2. The said Mr.S.Kshetrabalan died on 01.06.2016 and his wife of Mrs.C.Umayammal also predeceased him on 13.05.2011. The petitioner is the brother's son of the testator. The father of the petitioner Dr.T.S.Loganathan also died. It is also stated that there are no other class-II legal heirs left behind by the testator.

3. The petitioner has been examined as PW1. He has produced the death certificate of Mrs.C.Umayammal and Mr.S.Kshetrabalan as Exs.P2 and P5. The Original Will dated 14.05.2016 has been produced as Ex.P6. Necessary paper publication has been effected and no objections

have been received.

4. The petitioner has also examined one Mr.K.M.Vinayakom as PW2. He is the first attesting witnesses to the Will. The said Mr.K.M.Vinayakom has spoken about the execution of the Will by the testator and its attestation by himself and his wife Mrs.Subbalaxmi Vinayakom.

5. From the above evidence the petitioner had proved the Will in the manner known to law and is entitled to Letters of Administration as prayed for. Hence, this Original Petition is allowed granting Letters of Administration for the Will dated 14.05.2016 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.

WEB COPY

sd/-R.S.M.J

13.08.2019

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

R.s/03.09.2019

COURT OFFICER

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