



O.P.No.421 of 2020

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V.PARTHIBAN.,J.

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of the High Court Original Side Rules, seeking the grant of Letters of Administration.

2.In the petition, it is stated that the deceased J.Natesa Gramani died on 23.11.1998 at Chennai and she was ordinarily residing at Old No.33, New No.6, Chanda Sahib Street, Mirsahibpet, Chennai-600 014. The deceased possessed the property within the jurisdiction of this Court. The petitioner is the Daughter-in-law of the deceased, respondents 1 to 3 are Grand son's and Grand Daughters, respondents 4 & 5 are Great Grand Son's and Great Grand Daughters of the deceased. The parents of the deceased predeceased him. The deceased executed a Will on 24.04.1989 registered as Document No.61 of 1989 in the office of the Sub-Registrar Mylapore, Chennai. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) and the net amount of the said assets after deducting all the items, which the petitioner in law allowed to deduct is only of the value of



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Rs.29,50,000/- (Rupees Twenty Nine Lakhs and Fifty Thousand only). The petitioner undertakes to duly administer the property and credits of the deceased J.Natesa Gramani and to make a full and true inventory thereof and exhibit the same to the Court within six months from the date of grant of Letters of Administration to the petitioner and also render a true account of the said property and credits within one year from the said date. No application has been filed in any other Court for Letters of Administration.

3.The petitioner, who examined herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P14:

Ex.P1 is the original registered Will and Testament dated 24.04.1989 executed by J.Natesa Gramani.

Ex.P2 is the computer generated death certificate of Baby Natarajan, who died on 17.04.1998.

Ex.P3 is the computer generated death certificate of K.Natarajan, who died on 16.12.2016.

Ex.P4 is the computer generated death certificate of Natesan, who died on 23.11.1998.

Ex.P5 is the certified copy of the Legal Heirship certificate in



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respect of J.Natesan.

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Ex.P6 is the computer generated death certificate of N.Unna Malai Ammal, who died on 03.03.2004.

Ex.P7 is the computer generated death certificate of N.Ganesan, who died on 15.05.2009.

Ex.P8 is the original Legal Heirship certificate dated 03.03.2014 in respect of N.Ganesan.

Ex.P9 is the certified copy of the Partition Deed dated 31.03.1960.

Ex.P10 is the photocopy of his Aadhaar card bearing No.5139 6933 1010.

Ex.P11 is the original encumbrance certificate dated 13.04.2018.

Ex.P12 is the affidavit of assets showing the net value of the estate as Rs.29,50,000/-

Ex.P13 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 06.03.2021.

Ex.P14 is a copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 14.03.2021.

4.This Court vide order dated 08.09.2021 has appointed One Mr.N.Balamuralikrishnan as Advocate Commissioner to examine one Mr.V.Ramanujam as P.W.2, The Advocate Commissioner has filed a memo on 06.10.2021. P.W.2 stated that testator executed the last



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Will and Testament in his presence. He has also subscribed his signature in the Will as the attesting witness. He has also filed an affidavit to that effect. Ex.P15 is his affidavit.

5.Considering the averments made in the petition and on perusing the materials available on record, this Court is satisfied that the petitioner is entitled to the issuance of Letters of Administration.

6.Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is also directed to execute a security bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras. The petitioner is further directed to render true and correct accounts once in a year.

27.10.2021

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