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

WEDNESDAY, THE 24TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.20 of 2018

In the matter of the Indian
Succession Act XXXIX of 1925
and
In the matter of Last Will and
Testament of
V.Rukmangathan(deceased)

1. R.NANDAGOPAL
S/o.Late V.Rukmangathan
No.C-88, 17th Street, BELL Nagar,
R.E.C. Post, Thuvakkudi,
Trichy-620015.

2. R.RAMAN
S/o.Late V.Rukmangathan
No.58/49, Loco Scheme II Street,
Jawahar Nagar,
Chennai-600082.

3. R.LAKSHMANAN
S/o.Late V.Rukmangathan
No.D-2, NSC Bose Road,
Block 18,
Neyveli-607803.

..Petitioners



Original Petition praying that this Hon'ble Court be pleased to grant Letters of Administration with the Will annexed to them as sons/legatees 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:

This petition has been filed seeking for letters of administration with Will annexed.

2. The testator V.Rukmangathan who died on 20.03.2013, executed a Will dated 19.12.2011, registered as document No.340 of 2011 in the office of District Registrar, Tiruchirapally on 19.12.2011 in favour of the petitioners who are his sons in the presence of two attesting witnesses. Under the said Will, no executor has been appointed. The deceased V.Rukmangathan died on 20.03.2013 leaving behind the petitioners who are his sons as his legal representatives and the wife of the deceased V.Rukmangathan, viz., Krishnaveni predeceased him on 14.12.1997.



3. Under the said Will, the petitioners are the beneficiaries. The said Will was attested by two attesting witnesses namely Mr.K.Sriram and Mr.K.Veeraraj.

4. Before the learned Master, the following documents were marked as Exhibits:

<i>Exhibits</i>	<i>Nature of Document</i>
P1	Original Registered Will dated 19.12.2011
P2	Computer generated death certificate of Mr.V.Rukmangathan
P3	Photocopy of the Legal Heirship Certificate dated 28.11.2013 in respect of V.Rukmangathan
P4	Photocopy of the Sale Deed dated 03.04.1969 executed in favour of V.Rukmangathan along with property tax demand and property tax receipt.
P5	Photocopy of the Sale Deed dated 27.02.1970
P6	Affidavit of assets showing the net value of the estate
P7	Paper publication effected in one issue of Tamil daily “Maalai Murasu” dated 06.03.2018
P8	Paper publication effected in one issue of English daily “DT Next” dated 13.03.2018
P9	Affidavit of attesting witness viz., K.Veeraraj

5. Before the learned Master, the first petitioner was examined as PW1 and the deposition of PW1 supported the contents of the petition filed in support of O.P.No.20 of 2018. The second petitioner was examined as

PW2 before the learned Master and the deposition of PW2 also reiterated



the statements of the first petitioner (PW1) and also supported the contents of the petition filed in support of O.P.No.20 of 2018. Before the learned Master, the third petitioner was examined as PW3 and the deposition of PW3 also reiterated the contents of the other two petitioners namely PW1 & PW2 and also supported the contents of the petition filed in support of O.P.No.20 of 2018.

6. One of the attesting witnesses to the Will dated 19.12.2011 namely Mr.K.Veeraraj, was examined as PW4 before the learned Master. He has deposed that the Will was shown to him and he signed the same as the second attesting witness. He also confirms that the signature of the Testator V.Rukmangathan found in the Will is his signature. He has also deposed that the Will was executed by V.Rukmangathan in a sound and disposing state of mind. He has also filed his affidavit supporting the contents of the Will which has been marked as Ex.P9 before the Tribunal.

7. From the evidence available on record, it is clear that the petitioners are the only legal heirs of V.Rukmangathan who had executed the registered Will dated 19.12.2011 in their favour. One of the attesting witnesses, K.Veeraraj has also been examined and he has also confirmed the genuineness of the Will dated 19.11.2011 and he has also identified the



signature of the Testator in the said Will.

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8. It is clear from the evidence available on record that the petitioners have proved the Registered Will dated 19.12.2011 registered as Document No.340 of 2011 in the office of District Registrar, Thiruchirapalli executed by V.Rukmangathan and the petitioners are entitled for grant of letters of administration as prayed for in O.P.No.20 of 2018. Accordingly, this petition is allowed as prayed for.

9. Registry is directed to issue Letters of Administration in favour of the petitioners having effect throughout the State of Tamil Nadu, they being the beneficiaries/legatees under the Will of the deceased. As undertaken by the petitioners, the petitioners are directed to duly administer the properties and credits of the deceased in any way concerning his Will by paying first his debts and then the legacies therein bequeathed, so far as the assets will extend and to make a full and true inventory thereof and exhibit the same in this Court within six months from the date of the grant of Letters of Administration with the Will annexed to this petition. The petitioners are also directed to execute a security bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) in equal proportion in favour of the Assistant



the petitioners are directed to render this Court a true and correct accounts
within one year from the date of grant of Letters of Administration.

Sd/.A.Q.J.
24.11.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./06.12.2021

COURT OFFICER(O.S.)

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