



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

WEDNESDAY, THE 10TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.542 of 2019

In the matter of the Indian Succession,
Act XXXIX of 1925

and

In the matter of the Last Will and
Testament of the
K.Ramanathan (Deceased)

RADHIKA SHASTRY
D 1704, Mantri Greens,
No.1, Sampige Road,
Malleswaram,
Bangalore-560003.

..Petitioner

-Vs-

GAYATRI SHANKARRAMAN
657, Pelican Street,
Ottawa, Ontario K4A4K5,
Canada.

..Respondent

Original Petition praying that this Hon'ble Court be pleased that
Letters of Administration with the Will annexed may be granted to the
petitioner as one of the legatees under the Will of the deceased, giving
effect 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 petition is filed for Letters of Administration.

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2. The petitioner is the daughter of the deceased K.Ramanathan, the Testator. K.Ramanathan has executed a Will dated 18.05.2016 which has been marked as Ex.P1 before the learned Master. Under the said Will, no executor has been appointed. Under the said Will, properties have been bequeathed by the Testator in favour of the petitioner. K.Ramanathan, the Testator died on 04.06.2018.

3. The wife of the deceased pre-deceased him. The respondent is the sister of the petitioner and she along with the petitioner are the only legal heirs of the testator K.Ramanathan. She has filed a consent affidavit before this Court stating her no objection for grant of Letters of Administration in favour of the petitioner.

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

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Will dated 18.05.2016 executed by K. Ramanathan
P2	Death certificate of K. Ramanathan disclosing the date of death on 04.06.2018.
P3	Certified copy of the sale deed dated 20.06.2003 executed in favour of K. Ramanathan (Testator) and Radhika Shastry.
P4	The affidavit of assets showing the net value of the estate of the deceased as Rs.1,00,00,000/-
P5	A copy of paper publication effected in one issue of English Daily "News Today" dated 04.03.2020 and one issue of Tamil Daily "Maalai Sudar" dated 12.03.2020 (series 2 Nos)

5. The petitioner (PW1) has also deposed before the learned Master reiterating the contents of the petition filed in support of OP.No.542 of



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6. Both the attesting witnesses to the Will viz., Sridhar Pongur and P.M.Shiva Shankar were examined as witnesses before the learned Master and they supported the contents of the Will executed by K.Ramanathan.

7. An averment has also been made in the petition that a) no application has been made to the District Court or Courts, delegate or to any High Court for Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to his properties and credits and b) No application under Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

8. After perusing and examining the evidence available on record and after hearing the submissions of the learned counsel for the petitioner, this Court is inclined to grant letters of Administration as prayed for in favour of the petitioner in OP No.542 of 2019. Accordingly, this petition is ordered.

9. Registry is directed to issue Letters of Administration in favour of the petitioner having effect limited to the Union of India, she being the beneficiary/legatee under the Will of the deceased. As undertaken by the petitioner, the petitioner is 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 the petition. 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. As undertaken by the petitioner, the petitioner is 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.
10.11.2021

//Certified to be a true copy//

Dated this the day of 2021.

SU/23.11.2021

COURT OFFICER(O.S.)

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