



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

MONDAY, THE 20TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No. 1080 of 2019

In the matter of Indian
Succession Act, XXXIX of 1925
and
In the matter of Last Will and
Testament of Kousalyamma Dodla
(deceased)

MR.DODLA SUBBA REDDY
S/O.DODLA SESA REDDY,
OLD NO.10, NEW NO.20/1
AND 20/2, WALLACE GARDEN STREET,
NUNGAMBAKKAM,
CHENNAI-600 034

..PETITIONER

-VS-

1.MR.DODLA SESA REDDY
S/O.LATE CHENCHURAMI REDDY,
NO.2, BISHOP WALLERS AVENUE WEST,
MYLAPORE, CHENNAI-600 004

2. MRS.GUNAPATI SANTHAMMA
W/O.RANGA REDDY,
6-3-890, RAJ BHAVAN ROAD,
SOMAJIGUDA, HYDERABAD-500 082

3. LALITHAMMA
W/O.LATE MANUGUNTA AUDINARAYANA REDDY,
MACHAVARAM VILLAGE,
KANDUKUR TALUK,
PRAKASHAM DIST,
ANDHRA PRADESH



4. MANUGUNTA PRABHAKAR REDDY,
S/O.LATE MANUGUNTA AUDINARAYANA REDDY,
2A LAMECH AVENUE,
SPUR TANK ROAD,
CHETPET, CHENNAI-600 031

5. MANUGUNTA MAHIDAR REDDY
S/O.LATE MANUGUNTA AUDINARAYANA REDDY,
MACHAVARAM VILLAGE,
KANDUKUR TALUK, PRAKASHAM DIST,
ANDHRA PRADESH

6. KETHIREDDY VASUDHA
D/O.LATE MANUGUNTA AUDINARAYANA REDDY,
168, PHASE 1, MADHAVA NAGAR,
BHEL, HYDERABAD-500 032

7. DODLA PRAVEENA
D/O.LATE MANUGUNTA AUDINARAYANA REDDY,
OLD TOWN, KAVALI, NELLOR D.T.

8. MANUGUNTA VENKATA KRISHNA REDDY
S/O.LATE MANUGUNTA CHENCHEMMA,
C/O.ANITHAMMA, R.K.TOWERS, 4TH FLOOR,
FLAT NO.37, NEAR MUTHUKUR UNDER BRIDGE,
NELLORE

9. THIMMIREDY RAJESWARI
W/O.LATE THIMMIREDY PATTABHIRAMI REDDY,
469, 2ND CROSS, 6TH BLOCK,
2ND PHASE, BANASHANKARI, 3RD STAGE,
BANGALORE-560 085

10. THIMMIREDY SURESH REDDY
S/O.LATE THIMMIREDY PATTABHIRAMI REDDY,
469, 2ND CROSS, 6TH BLOCK,
2ND PHASE, BANASHANKARI,
3RD STAGE, BANGALORE-560 085

1.1 YERABAKA PADMAJA
D/O.LATE THIMMIREDY PATTABHIRAMI REDDY,



ALLURPETA, ALLUR,
NELLORE DT., ANDHRA PRADESH

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12. MANNEMALA NEERAJA
D/O.LATE THIMMIREDY PATTABHIRAMI REDDY,
SHANTINAGAR, KAVALI,
NELLORE DT, ANDHRA PRADESH ..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 the brother-in-law's viz., Mr.Dodla Chenchurami Reddy grandson of the said deceased Mrs. Kousalyamma Dodla, beneficiary under the Will of Deceased, having effect throughout the whole of Union of India.

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

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

2. The petitioner is the brother-in-law's grandson of the deceased testatrix Kousalyamma Dodla who died on 07.04.2019 leaving behind a Registered Will dated 13.10.1999 executed by her in which the petitioner is the beneficiary. Kousalyamma Dodla died without any issues and her



there are two attesting witnesses namely K.Rajagopal Reddy and N.Ramanaiah. Since both the attesting witnesses were aged persons, they were examined in their respective residences through an Advocate Commissioner appointed by this court as PW1 & PW2 and their affidavits have been marked as Ex.P1 & Ex.P2 respectively.

3. Both the attesting witnesses in their depositions have deposed that only in their presence, the testatrix Kousalyamma Dodla executed the registered Will dated 13.10.1999. They have also deposed that they know the testatrix Kousalyamma Dodla very well. They have also deposed that only in a sound and disposing state of mind, memory and understanding, the testatrix Kousalyamma Dodla executed the Registered Will dated 13.10.1999 in which the petitioner is the beneficiary. In their depositions, they have also identified the signature of the testatrix Kousalyamma Dodla.

4. The petitioner who is the beneficiary under the subject Will has been examined as PW3. He reiterated the contents of the petition filed in support of O.P.No.1080 of 2019 in his deposition. Through PW3, the following documents were marked as exhibits:



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<i>Exhibits</i>	<i>Nature of documents</i>
P3	Original registered Will dated 13.10.1999 executed by Dodla Kousalyamma which has been attested by two attestors.
P4	Computer generated death certificate of Dodla Chenchurami Reddy who died on 16.08.2014
P5	Computer generated death certificate of Padmavathamma Dodla who died on 18.09.2018
P6	Computer generated Family Member Certificate dated 30.11.2018 in respect of Dodla Padmavathamma
P7	Computer generated death certificate of Kousalyamma Dodla who died on 07.04.2019
P8	Computer generated details of land records
P9	Affidavit of assets showing the net value of the estate as R.7,00,00,000/-
P10	(Series 2 Nos) copies of paper publications effected in one issue of Tamil daily "Makkal kural" dated 16.02.2021 and in one issue of English daily "Trinity Mirror" dated 23.02.2021.

5. The testatrix Kousalyamma Dodla's husband's brother is Chenchurami Reddy Dodla and sisters are Manugunta Chenchamma and Thimmireddy Santhamma. The legal heirs of Chenchurami Reddy Dodla viz., Dodla Sesha Reddy and Gunapati Santhamma are the respondents 1 & 2. The legal heirs of Manugunta Chenchamma are the respondents 3 to 8 and the legal heirs of Thimmireddy Santhamma are the respondents 9 to 12. The petitioner who is a son of the first respondent, is the grandson of Chenchuram Reddy Dodla. All the respondents have submitted their separate consent affidavits which is placed before this Court stating their no objection for grant of letters of administration in favour of the petitioner.



6. As seen from the evidence available on record, the testatrix Kousalyamma Dodla had executed a registered Will dated 13.10.1999 in which the petitioner who is the grandson of the brother-in-law of the deceased testatrix, is the beneficiary. The petitioner as seen from the Will, has taken care of the testatrix during her lifetime in a good manner.

7. The death certificate of Dodla Chenchurami Reddy who is the brother-in-law of the deceased testatrix has been marked as Ex.P4 which evidences that Dodla Chenchurami Reddy was died on 16.08.2014. The death certificate of Padmavathamma Dodla who is the wife of Dodla Chenchurami Reddy has been marked as Ex.P5 which confirms that she died on 18.09.2018. The family member certificate dated 30.11.2018 in respect of Dodla Padmavathamma has also been marked as Ex.P6. The death certificate of Kousalyamma Dodla has also been marked as Ex.P7 which confirms that she died on 07.04.2019. Ex.P8 is the computer generated details of land records to prove that the testatrix was the owner of the properties which is the subject matter of the Will dated (Ex.P3). Paper publications have also been effected in one issue of Tamil daily “Makkal Kural” dated 16.02.2021 and in one issue of English daily “Trinity Mirror” dated 23.02.2021 with regard to O.P.No.1080 of 2019 which have been
<https://hcservices.ecourts.gov.in/hcservices/>
marked as Ex.P10.



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8. All the respondents have also given their consent for grant of letters of administration in favour of the petitioner by submitting separate consent affidavits.

9. As seen from the pleadings and evidence available on record, it is clear that a valid Will has been executed by the testatrix Kousalyamma Dodla and under the said Will, the petitioner is the beneficiary. The Will has complied with all the statutory requirements and the Will has also been executed by the testatrix in a sound and disposing state of mind with a clear understanding of the subject of the Will. Therefore, this Court is of the considered view that the Will has been duly proved by the petitioner. Accordingly, there shall be an order of letters of administration.

10. Registry is directed to issue Letters of Administration in favour of the petitioner having effect limited to the Union of India. 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 account within one year from the date of grant of Letters of Administration.

Sd/.A.Q.J.
20.12.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./30.12.2021

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.