



WEB COPY



O.P.No.392 of 2020

C.V.KARTHIKEYAN,J.

This Original Petition has been filed taking advantage of Sections 232 and 276 of the Indian Succession Act, 1925 seeking grant of Letters of Administration with will annexed relating to the registered Will dated 23.10.1992 executed by the maternal grandfather of the petitioner, V.B.Veerasamy Reddiar, who died on 14.02.1993.

2.In the petition to explain the delay in filing of the petition, it had been stated that the petitioner is an illiterate lady and that she was under an impression that as beneficiary under the Will, she had obtained title and when she applied for mutation of her name in the Chennai Corporation in October 2019, it was informed that she should obtain Letters of Administration. Thereafter, this Original Petition had been filed.

3.V.B.Veerasamy Reddiar had two sons viz., Dr.Perumal and Dr.Seshaya. Dr. The 1st respondent, Dr.V.Seshaya had received notice on



30.09.2020 and had taken a conscious decision not to appear before this Court. With respect to the other respondents, after services had been completed, counsel had entered appearance.

4.The petitioner was directed to tender evidence. The petitioner was examined herself as PW-1. The death certificate of Pawanammal and V.B.Veerasamy Reddiar were marked as Exs.P1 and P3. The original Will dated 23.10.1992 was marked as Ex.P2. The copy of the paper publications were marked as Exs.P7 and P8. Thereafter, since both the attesting witnesses were reported dead, S.Ramachandran was examined as PW-2. He identified the Will. He identified the signature of V.B.Veerasamy and also stated that V.B.Veerasamy was in a sound and disposing state of mind at the time of execution of Ex.P2, Will. He had also filed an affidavit and his affidavit was marked as Ex.P9.

5.In view of the evidence adduced, I hold there is every reason to grant the relief sought in the Original Petition namely, granting Letters of Administration with will annexed.



6. With the above observations, this Original Petition stands allowed.

The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is directed to execute a 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.

10.10.2022

smv



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