O.P.No.534 of 2021

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, which Will was executed by P.Krishnamurthy, the father of the petitioner herein. P.Krishnamurthy died on 02.04.2018. The Will dated 11.12.2007 was registered in the office of the Sub Registrar, Ashok Nagar in Document No.68/2007.

2.The petitioner's elder brother Ramkumar was appointed as executor. However, Ramkumar had predeceased P.Krishnamurthy and his legal representatives have been shown as 2nd to 4th respondents. The 1st respondent is the daughter of P.Krishnamurthy / sister of the petitioner.

3.After complying with the formalities, the petitioner was invited to adduce evidence. The petitioner examined himself as PW-1. The death certificate of his father P.Krishnamurthy and legal heirship certificate were marked as Exs.P1 and P2. The death certificate and legal heirship certificate of his elder brother P.Ramkumar were marked as Exs.P3 and P4. The original Will dated 11.12.2007 was marked as Ex.P7. Both attesting witnesses were examined as PW-2 and PW-3. Both of them identified the Will dated

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11.12.2007 and identified the signature and writing in the said Will and also stated that the testator had signed the Will in their presence and that he was signed the Will in a sound and disposing state of mind.

4.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.

5.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

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