



O.P. No. 535 of 2021

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C.V.KARTHIKEYAN, J.

The petition is filed seeking Letters of Administration with will annexed, relating to the will dated 14.07.1993 executed by T. Vasudevan, who died on 23.08.2001.

2. The petitioner is one of the grand-daughters of the testator and the two respondents are the daughters of the testator. They had given their consent for grant of Letters of Administration.

3. After following the due procedures, the petitioner was directed to tender evidence. The petitioner examined herself as P.W.1. The original registered Will dated 14.07.1993 was marked as Ex. P.1 and the death certificate of T. Vasudevan and Swarnambal were marked as Ex.P2 and Ex.P3. The consent affidavit of the first and second respondents were marked as Exs. P.8 and P.9. The affidavit of assets, showing the net value of the estate was marked as Ex.P.10.



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4. Thereafter, the petitioner had filed an application in A.No. 4807 of 2022, seeking appointment of an Advocate Commissioner to examine the attesting witness. Accordingly, Ms. Evangeline Maria Noronha, was appointed as Advocate Commissioner. The learned Advocate Commissioner had filed a report enclosing the proof affidavit of the attesting witness and also the identity card of the attesting witness and also the evidence which was taken down in writing. The attesting witness was examined as P.W.2. He identified the Will and also identified the signatures in the Will and specifically stated that the testator was in a sound and disposing state of mind at the time of execution of the Will. The proof affidavit of the attesting witness had been filed along with the report but the same had not been marked. The same is now marked as Ex. P.13.

5. In view of the affidavit produced, the petition is allowed as follows:

(a) The Letters of Administration shall be issued in favour of the petitioner in respect of the properties mentioned in the petition.

(b) The petitioner is directed to duly administer the said properties of the deceased.

(c) 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.

(d) The petitioner is further directed to render true and correct
accounts once in year.

23.11.2022

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