



O.P.No.33 of 2021

C.V.KARTHIKEYAN,J.

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The Original Petition has been filed seeking Letters of Administration with Will annexed relating to a Will dated 05.07.2017, registered as Document No.20/2017 in the office of the Sub Registrar, Purasaiwalkam and executed by Selvi.K.Champakalakshmi, who died on 24.08.2017.

2. She was a daughter of late Krishnamurthy. The parents of K.Champakalakshmi, predeceased her. She had four sisters and three brothers. Among them, three sisters and two brothers predeceased her. The surviving brother and sister are the 1st and 2nd respondents and the legal heirs of the deceased brothers have been impleaded as respondents 3 – 7.

3. It is stated that the legal heirs of the predeceased sisters are not respondents since, they cannot be considered as legal heirs under the provisions of the Hindu Succession Act.

4. The petitioner is the sister's son of K.Champakalakshmi.

5. The respondents have been served and the names are printed in the cause list. They had taken a conscious decision not to appear before this



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6. The petitioner was directed to tender evidence. The petitioner examined himself as P.W.1. The certified copy of the Will dated 05.07.2017 was marked as Ex.P1 and the Death Certificate of K.Champakalakshmi was marked as Ex.P4.

7. The petitioner thereafter, examined Mrs.Lansy, as P.W.2, who was one of the attester. She also affirmed the Will and also stated that she had signed the Will as one of the attestors and her affidavit was marked as Ex.P13 and also stated that K.Champakalaksmi, was in a sound and disposing state of mind at the time of executing the Will, dated Ex.P1.

8. In view of the evidence presented, the Original Petition stands allowed. Letters of Administration is granted. The petitioner is directed to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) in the name of the Assistant Registrar (Original Side), High Court of Madras.

08.11.2022

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