



O.P.No.996 of 2019

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**WEB C.V.KARTHIKEYAN,J.**

This Original Petition has been filed seeking grant of Letters of Administration under Sections 232 & 276 of Indian Succession Act, 1925 with Will annexed, relating to the last will and testament dated 04.07.2002 of M.S.Saraswathi who died a spinster on 24.11.2018. Her parents pre-deceased her. She had no other legal heirs except the petitioner and the respondents. The petitioner is the daughter of one of the sisters of the deceased M.S.Saraswathi. The father and mother of Ms.Saraswathi, died on 17.10.1993 and 17.09.1992 respectively. The respondents are the sisters. The respondents had given their consent affidavits.

2. After following due procedure, the petitioner was invited to tender evidence. Even before the petitioner could be examined, the attesting witness Mr.C.Anandakumar was examined as Ex.P.W.1. He identified the Will which was marked as Ex.P1. The had been registered as document No.58 of 2002 in the office of the Sub Registrar, Konnur. P.W.1 admitted his signatures and specifically stated that the testatrix subscribed her signatures at the foot of every page in his presence. His affidavit was marked as Ex.P2 and he also stated that the testatrix was in a sound and disposing state of mind and memory and understanding at the time of execution of Ex.P1/Will.



O.P.No.996 of 2019

3. The petitioner/S.Gayathri examined herself as Ex.P.W.2, the death certificate of M.S.Saraswathi was marked as Ex.P3. The death certificates of the parents of M.S.Saraswathi were marked as Exs.P4 & P5. The death certificates of S.Jayalakshmi and S.Nagalakshmi were marked as Exs.P6 & P7. The consent affidavits given by the respondents were marked as Exs.P9 - P12. The learned counsel for the respondents also affirmed the fact that the respondents had given their consent for grant of Letters of Administration.

4. In view of the evidence adduced, I hold that 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.

**01.11.2022**

***nst***



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