



O.P.No.663 of 2021

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WEB CO **KRISHNAN RAMASAMY.J.**

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act 1925 read with Order XXV Rule 5 of the High Court Original Side Rules, seeking for grant of Letters of Administration.

2.In the petition, it is stated that the Testator, A.K.Ganesh died on 27.03.2021 and he possessed the various properties within the jurisdiction of this Court. The petitioner is the son of the Testator and the first respondent is the wife and the respondents 2 & 3 are the daughters of the Testator A.K.Ganesh and they are the Class I legal heirs of the deceased Testator A.K.Ganesh. During his life time, he executed a last Will and testament on 17.01.1994 in the presence of witnesses and got registered at the Sub-Register Office, Villivakkam, Chennai-049 vide document No.2 of 1994. The amount of the assets which are likely to come into the petitioner's hands does not exceed the aggregate sum of Rs.70,00,000/-. The petitioner undertake to duly administer the property and credits of the deceased Testator A.K.Ganesh and to make a full and true inventory thereof and exhibit the same to the Court within six



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months from the date of grant of Letters of Administration to the petitioner and also render a true account of the said property and credits within one year from the said date. No application has been filed in any other Court for Letters of Administration.

3.The petitioner, who examined himself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P13:

Ex.P1 is the original registered Will dated 17.01.1994 executed by Mr.A.K.Ganesh.

Ex.P2 is the photocopy of the Sale Deed dated 11.05.1973 executed in favour of Mr.A.K.Ganesh.

Ex.P3 is the online patta dated 20.09.2016.

Ex.P4 is the computed generated death certificate of Mr.A.K.Ganesh.

Ex.P5 is the computer generated Legal Heirship certificate of Mr.A.K.Ganesh.

Ex.P6 is the computer generated death certificate of Mr.K.Ramachandran.

Ex.P7 is the photocopy of his Aadhaar Card.



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Ex.P8 is the affidavit of assets showing the net value of the estate as Rs.70,00,000/-.

Ex.P9 is a copy of Paper Publication effected in one issue of Tamil daily “Makkal Kural” dated 24.03.2022.

Ex.P10 is a copy of Paper Publication effected in one issue of English daily “Trinity Mirror” dated 10.04.2022.

Ex.P11 is the consent affidavit given by the first respondent.

Ex.P12 is the consent affidavit given by the second respondent.

Ex.P13 is the consent affidavit given by the third respondent.

4. Further, one Mr.R.Senthilnathan, was examined as PW.2 and marked his affidavit as Ex.P14. He is a third party and he is the son of the first attesting witness namely K.Ramachandran. He was well acquainted with the signature found in the place of first attester and also in the place of first identifying witness in Ex.P1 Will, are that of his father K.Ramachandran.

5.Further, one Mrs.G.Chandrakala, who is the wife of the deceased A.K.Ganesh, was examined as PW.3. She has stated that Ex.P1 Will dated 17.01.1994 was executed by her husband A.K.Ganesh and the



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signatures found in Ex.P1 Will are that of her husband A.K.Ganesh.

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6.Despite the paper publication also, none has appeared and raised their objections.

7.Considering the averments made in the petition and on perusing the materials available on record, this Court is satisfied that the petitioner is entitled to the issuance of Letters of Administration.

7.Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. 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. The petitioner is further directed to render true and correct accounts once in a year.

02.09.2022

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