



O.P.No.537 of 2021

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WEB 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 relating to the registered Will dated 23.02.2006 registered as document No.22 of 2006 on the file of the Sub Registrar Office, Kodambakkam on 23.02.2006 and executed by Smt.T.M.Kamladevi, who died on 24.07.2020.

2. The petitioner is the beneficiary under the Will. He is also the son of the first respondent and the first cousin of the second respondent. The first respondent had been served and is represented by his counsel who stated that there is no objection on behalf of first respondent for grant of Letters of Administration. The second respondent had not responded to the notice issued. Paper publication had to be effected.

3. The Petitioner was directed to tender evidence. The mother/power agent of the petitioner was examined as P.W.1. The registered Will was marked as Ex.P1 and the death certificate of the testatrix was marked as Ex.P3.

4. Thereafter, the petitioner also was examined as P.W.2, Paneerselvam who claimed that he was present at the time of execution of



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the Will and that he knew the first attesor Madan Gopal for the past 20 years, death certificate of Madan Gopal had been marked as Ex.P4. He had died on 07.10.2017. P.W.2 identified the signatures of both the attesting witnesses and also of the executrix, his affidavit has been marked as Ex.P1.

5.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.

6.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.

14.10.2022

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