



O.P.No.308 of 2022

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C.V.KARTHIKEYAN,J.

This original petition has been filed taking advantage of Sections 232 and 276 of the Indian Succession Act, 1925 seeking Letters of Administration with Will annexed relating to the Will dated 31.12.2014 registered as Document No.78 of 2014 in the office of the Sub-Registrar Velacherry. The same was executed by T.Vasantha Ammal, who died on 26.07.2021

2.T.Vasantha Ammal, was married to one T.Thulasithasan. They had a son T.Ravikumar. Under the Will the property was bequeathed to T.Ravikumar and after his death, it was stated that it should devolve on to the petitioners who are the sons of T.Rajaputhiran, the brother of T.Thulasithasan. T.Ravikumar died on 29.08.2018, even before the testatrix. The 1st respondent is the mother of the petitioners and the 2nd, 3rd and 4th respondents are the sisters of the petitioners. They had given their consent affidavits.



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3. The petitioners were directed to tender evidence and accordingly, the 1st petitioner examined himself as PW-1. The original Will dated 31.12.2014 was marked as Ex.P1. The Death Certificate and the Legal Heirship of T.Thulasithasan were marked as Exs.P2 and P3. The Death Certificate and the Legal Heirship Certificate of T.Ravikumar were marked as Exs.P4 and P5. The Death Certificate of Vasantha Ammal was marked as Ex.P6. The Death Certificate and the Legal Heirship Certificate of T.Rajaputhiran were marked as Exs.P7 and P8. The consent affidavits given by all the four respondents were marked as Exs.P13 to P16.

4. Thereafter, the petitioner also examined Mrs.K.Subha as PW-2 who was one of the attesting witness and was the niece of the testatrix. She identified the Will Ex.P1. She had attested the Will as an attester along with K.Appadurai, who was the second attesting witness. She specifically stated that the testatrix had signed the Will Ex.P1 in the presence of herself and K.Appadurai. She also stated that T.Vasantha Ammal was in a sound and disposing state of mind at the time of execution of the Will. She also filed her affidavit, which was marked as Ex.P20.



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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.

09.11.2022

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