



T.O.S. No.25 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.12.2022

CORAM : JUSTICE N.SESHASAYEE

T.O.S. No.25 of 2019

V.R.Jawahar

.... Plaintiff

Vs

1.V.R.Nagammal
2.M.R.Banumathi
3.R.K.Jamuna
4.V.R.Jagadishwaran
5.V.R.Ravindran

.... Defendants

Prayer : Testamentary Original Suit filed under Sections 232 and 276 of the Indian Succession Act for issuance of Letters of Administration of the Will dated 01.09.2017 under Order XXV Rule 5 of Original Side Rules.

For Plaintiff : Ms.V.J.Latha

For Defendants : No Appearance



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JUDGMENT

The suit is laid for granting Letters of Administration of the last will and testament dated 01.09.2017 executed by late V.K.Ramachandran. The said Ramachandran, later, died on 14.09.2017 leaving behind him his surviving heirs, namely his wife/first defendant, children/defendants 2 to 6 and the plaintiff. The plaintiff is one of the sons-cum-beneficiary under the will. Defendants 2 and 3 are his daughters and 4 and 5 are his other two sons. Original Petition was promptly laid and only one of the sons, filed caveat and hence the OP was converted into a testamentary original suit. However, in the suit, the caveator remained ex-parte.

2. Evidence in this case was recorded and the propounder examined himself as PW1 and marked Exts.P1 to P5. Ext.P5 is the will of late V.K.Ramachandran. To prove the will, the plaintiff has also examined one of the attesting witnesses as PW2.



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3. This court is satisfied on perusing the documents and reading the oral testimony of witnesses. This court is satisfied that the Will of Late V.K.Ramachandran, dated 01.09.2017 is genuine.

4. Accordingly, T.O.S. No.25 of 2019 is allowed by granting letters of administration with the Will annexed to the plaintiff in respect of the estate bequeathed under the last Will and testament of the late V.K.Ramachandran, dated 01.09.2017. The plaintiff is directed to execute a security bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the Assistant Registrar (Original Side) of this Court.** The plaintiff is further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Asr

List of witnesses examined on the side of Plaintiff:

1. Mr.V.R.Jawahar - PW1
2. Mr.N.Elango - PW2 (Attesting witness)



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List of exhibits adduced on the side of the Plaintiff:

<i>S.No.</i>	<i>Exhibits</i>	<i>Description of documents</i>
1	P1	Online certified copy of Sale Deed dated 18.05.1994
2	P2	Photocopy of Property Tax Demand Card (original seen and returned)
3	P3	Online print out copy of death certificate of Late V.K.Ramachandran dated 14.09.2017 (under Section 65B certificate submitted)
4	P4	Photocopy of Legal heirs certificate of late V.K.Ramachandran dated 29.11.2017 (original seen and returned)
5	P5	Original Will of V.K.Ramachandran dated 01.09.2017

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N.SESHASAYEE.J.,

Asr

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