

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

This Original Petition has been filed by the petitioner, the brother's wife of S.Krishnamurthy taking advantage of Sections 232 and 276 of the Indian Succession Act, 1925 seeking grant of Letters of Administration with will annexed.

2.In the affidavit filed in support of the said petitioner, it had been stated that S.Krishnamurthy died on 12.01.2014. His wife K.Seetha had died earlier on 19.09.2007. S.Krishnamurthy, had executed a will dated 18.09.2008. It is stated that he had executed a Will in a sound and disposing state of mind.

3. To prove the will, P.Brindha, the petitioner had examined herself as PW-1. The will was marked as Ex.P2. The death certificate of S.Krishnamurthy was marked as Ex.P4 and the death certificate of his wife K.Seetha was marked as Ex.P3.

4.There are two respondents and they are the sisters of S.Krishnamurthy. Unfortunately, one of them died pending the petition and her legal representatives had been brought on record as 3rd and 4th respondents. The consent affidavit given by the 2nd, 3rd and 4th respondents had been marked as Exs.P7, P8 and P9.



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5.Again to prove the will, PW-2, K.Rangarajan was examined and he claimed that he was one of the attesting witness and knew S.Krishnamurthy for the past 15 years. He identified the will. He identified the signature. He also stated that S.Krishnamurthy was in a sound, disposing state of mind at the time of execution of Ex.P2. Further, to prove the genuinty of the will PW-3, R.Sarangapani was examined, who claimed that he had drafted the will. He also identified the will.

6.In view of the evidence presented, I hold there is every reason to grant the relief sought in the Original Petition namely, granting Letters of Administration with will annexed.

7.With the above observations, this Original Petition stands allowed. The petitioner is directed to execute a bond of Rs.25,000/- as required.

19.09.2022

smv

O.P.No.202 of 2020