



O.P.No.268 of 2020

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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 Testatrix Mrs.Kanni Ammal died on 14.05.2005 and she possessed various properties within the jurisdiction of this Court. The petitioner herein is the daughter-in-law and the respondents are the grandchildren of the Testatrix Mrs.Kanni Ammal. During her life time, she executed a Will and Testament on 25.08.1999 in the presence of the witnesses and got registered at the Sub-Register Office, Kodambakam, Chennai vide document No.129 of 1999. The petitioner's husband namely Mr.C.A.Raman is the adopted son of the Testatrix Mrs.Kanni Ammal. The deceased Mrs.Kanni Ammal bequeathed her properties absolutely to her adopted son namely C.A.Raman, who is the husband of the petitioner. The amount of the assets which are likely to come into the petitioner's hands does not exceed the aggregate sum of Rs.20,00,000/-. The petitioner undertake to



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duly administer the property and credits of the deceased Mrs.Kanni Ammal and to make a full and true inventory thereof and exhibit the same to the Court within six 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 herself as P.W.1, reiterated the averments made in the petition and filed the following documents viz., Exs.P1 to P14:

Ex.P1 is the original registered Will dated 25.08.1999 executed by Mrs.Kanniammal, registered as Doc no.129 of 1999 at SRO, Kodambakam.

Ex.P2 is the original death certificate of Mrs.Kanniammal.

Ex.P3 is the computer generated death certificate of C.A.Raman.

Ex.P4 is the photocopy of the Legal Heirship certificate of C.A.Raman.

Ex.P5 is the photocopy of the Sale Deed dated 22.06.1999 executed by the Tamil Nadu Slum Clearance Board in favour of Mrs.Kanniammal and Chinnakulanthai.



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Ex.P6 is the photocopy of the Gift/Settlement Deed dated 21.02.2007.

Ex.P7 is the photocopy of the Sale Deed dated 30.12.2011.

Ex.P8 is the photocopy of the Mortgage Deed dated 02.04.2012.

Ex.P9 is the photocopy of the Mortgage Deed dated 30.10.2014.

Ex.P10 is the consent affidavit given by the first respondent.

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

Ex.P12 is the affidavit of assets showing the net value of the estate as Rs.20,00,000/-.

Ex.P13 is the copy of Paper Publication effected in one issue of Tamil daily “Dina Kural” dated 06.03.2021.

Ex.P14 is the copy of Paper Publication effected in one issue of English daily “Southern Mail” dated 13.03.2021.

4. Since both the attesting witnesses had passed away, one Mr.R.Maheswaran, was examined as PW.2 and marked his affidavit as Ex.P15. He is a third party and he was present at the time of execution of Ex.P1 Will executed by Mrs.Kanniammal along with Chinnakulandai and Varadhan and he was well acquainted with the signature of Mrs.Kanniammal.



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

6.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.

25.08.2022

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Note to Registry:

Issue order copy on 07.09.2022.



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