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O.P.No.152 of 2021

C.V.KARTHIKEYAN,J.,

The Original Petition has been filed seeking Letters of Administration with Will annexed relating to the last Will dated 03.09.2016 executed by the mother of the petitioner, K.Parvathi, who died on 01.09.2018.

2. The father of the petitioner, Mr.Karuppasamy had died earlier on 05.02.2009. The petitioner is a brother of K.Parvathi and the respondent is her younger brother.

3. The respondent had been served on 19.03.2021. However, he had taken a decision not to appear before this Court.

4. The petitioner was directed to tender evidence. The petitioner examined himself as P.W.1. The original Will dated 03.09.2016 was marked as Ex.P1. The Death Certificate of T.Karuppasamy was marked as Ex.P5 and the Legal Heirship Certificate of T.Karuppasamy was marked as Ex.P6. The Death Certificate of K.Parvathi was marked as Ex.P9.

5. The petitioner also examined K.Annamalai as P.W.2, who was one of the attesting witnesses. He stated that K.Parvathi was his maternal aunt.

C.V.KARTHIKEYAN,J.,

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He had signed as a second attestor. The first attestor was C.Ayyadurai. He affirmed the Will Ex.P1 and also affirmed and identified the signatures of K.Parvathi, C.Ayyadurai and his signatures in the Will. He stated that all three of them signed in the presence of each other. He also specifically stated that K.Parvathi was in a sound and disposing state of mind when she executed the Will. His affidavit was marked as Ex.P17.

6. In view of the evidence produced, the Original Petition stands allowed. Letters of Administration is granted to the petitioner. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the Assistant Registrar (Original Side), High Court of Madras.

04.11.2022

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