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O.P.No.449 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.449 of 2022

Vasuki Ravi

... Petitioner

Vs

1.Aruna S

2.Sivaraman Rajamani

... Respondents

PRAYER: Original Petition filed for issuance of Letters of Administration under Section 232 & 276 of the Indian Succession Act, r/w.XXV Rule 5 of the Original Side Rules, prays that the Letters of Administration with the Will annexed may be granted to the petitioner as the daughter/ beneficiary under the Will of the deceased.

For Petitioner : Mr.K.Balajee

For Respondents : No appearance

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the Will dated 02.02.2015 executed by late G.R.Rajamani, who died on 17.08.2019. The petitioner and 1st respondent are the daughters and 2nd respondent is the son of the testator. The testator



O.P.No.449 of 2022

has bequeathed his property morefully described in the schedule herein in name of his wife T.R.Vijayalakhsmi to enjoy the possession of the property until her life time and after her demise the property shall devolve upon the petitioner herein. The wife of the testator had deceased on 17.10.2021. Now, the petitioner is the beneficiary under the said Will. The petitioner seeks issuance of Letters of Administration in respect of the properties situate within the jurisdiction of this Court.

2. The petitioner has been examined as P.W.1. She has produced the death certificates of the testator G.R.Rajamani and his wife T.R.Vijayalakhsmi, as Exs.P3 and P5. The Original Will dated 02.02.2015 has been produced as Ex.P2, and the legal heirship certificate of the testator is produced as Ex.P4. A perusal of Ex.P4 shows that the petitioner and the respondents are the only surviving Class-I legal heir of the testator. The respondents 1 and 2 had expressed their consent to grant Letters of Administration in favour of the petitioner and their consent affidavits are marked as Exs.P6 and P7. A paper publication has been made and any objections have not been received.

3. The petitioner has examined one Mr.K.Ganapathy, who is the



O.P.No.449 of 2022

second attesting witness to the said Will as P.W.2. He has spoken about the execution of the Will by the testator and its attestation by himself and Mr.S.Shanmugam.

4. In view of the above, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioner, in respect of the Will dated 02.02.2015 of the testator G.R.Rajamani. The petitioner 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 petitioner is further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

13.04.2023

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Index :Yes/No

Speaking order: Yes/ No

Neutral Citations: Yes/ No

Petitioner's witness:

P.W.1 - Mrs.Vasuki Ravi

P.W.2 – Mr.K.Ganapathy



WEB COPY



O.P.No.449 of 2022

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the Sale Deed dated 08.02.2005 in favour of Dr.G.R.Rajamani
Ex.P2	Original registered Will dated 02.02.2015 executed by Dr.G.R.Rajamani
Ex.P3	Photocopy of the death certificate of Mr.G.R.Rajamani
Ex.P4	Photocopy of the legal heirship certificate dated 06.09.2019 of Mr.G.R.Rajamani
Ex.P5	Computer generated death certificate of Mrs.T.R.Vijayalakshmi
Ex.P6	Consent affidavit given by the 1 st respondent
Ex.P7	Consent affidavit given by the 2 nd respondent
Ex.P8	Affidavit of assets showing the net value of the estate as Rs.33,50,000/-
Ex.P9	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.12.2022
Ex.P10	Copy of paper publication effected in one issue of English daily "Trinity Mirror" dated 08.12.2022
Ex.P11	Affidavit of the attesting witness PW2

gba

13.04.2023



WEB COPY



O.P.No.449 of 2022

K.KUMARESH BABU,J.

gba

O.P.No.449 of 2022

13.04.2023