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O.P.No.747 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU
O.P.No.747 of 2021

T.N.Rama Iyer Trust

Represented by its Trustee Mrs.Padma Ramesh,
Having Office at 34, Ramanujam Street,
T.Nagar, Chennai – 600 017.

... Petitioner

Vs

R.Rajagopal

... Respondent

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 sole beneficiary legatee under the Will of the deceased.

For Petitioner : Mr.Karthikeyan Anbzhagan

For Respondent : Mr.C.Kaveen

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the Will dated 15.12.2018 executed by late Chellammal Sankaranarayanan, who died on 19.06.2020. The petitioner



O.P.No.747 of 2021

Trust is represented by its trustee Padma Ramesh. The respondent is the nephew of the testatrix. The testatrix has bequeathed all her Fixed Deposits Savings, in the name of the petitioner trust viz., T.N.Rama Iyer Trust, so the petitioner is the sole beneficiary under the Will. The respondent is appointed as an nominee for all the accounts (Fixed Deposits and Savings Bank Account). The petitioner trust being the sole beneficiary legatee under the said Will, seeks issuance of Letters of Administration in respect of the bank deposits.

2. The petitioner has been examined as P.W.1. She has produced the death certificate of the testatrix Chellammal Sankaranarayanan, as Ex.P4. The Original Will dated 15.12.2018 has been produced as Ex.P2. The respondent herein represented by his counsel on 13.04.2023, when this Original Petition was taken up has expressed his consent in the open Court to grant Letters of Administration in favour of the petitioner Trust. A paper publication has been made and any objections have not been received.

3. The petitioner has examined one Mrs.A.Parvathy, who is the first attesting witness to the said Will as P.W.2. She has spoken about the execution of the Will by the testatrix and its attestation by herself and



O.P.No.747 of 2021

Mrs.S.Premalatha.

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4. In view of the above, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioner Trust, in respect of the Will dated 15.12.2018 of the testatrix Chellammal Sankaranarayanan. 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.Padma Ramesh

P.W.2 – Ms.A.Parvathy

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the Trust Deed dated 01.04.2007



O.P.No.747 of 2021

<i>Exhibits</i>	<i>Documents</i>
Ex.P2	Original Will dated 15.12.2018 executed by Mrs.Chellammal Sankaranarayanan
Ex.P3	Photocopy of the deposit receipt bearing No.0018770 in Indian Overseas Bank, Injambakkam Branch standing in the name of Ms.Chellammal
Ex.P4	Computer generated death certificate of Chellammal
Ex.P5	Affidavit of assets showing the net value of the estate as Rs.54,50,614/-
Ex.P6	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 28.09.2022
Ex.P7	Copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 21.09.2022
Ex.P8	Affidavit of the attesting witness PW2

13.04.2023

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O.P.No.747 of 2021

K.KUMARESH BABU,J.

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O.P.No.747 of 2021

13.04.2023