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O.P.No.668 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.668 of 2022

1.Satyendran
2.Anandaraman
3.Hema Shantharaman

... Petitioners

Vs.

1.Kalarani
2.Selvarani
3.Selvi Sunethra Shantha Raman

... Respondents

Prayer: Original Petition filed for issuance of Letters of Administration under Section 232 & 276 of the Indian Succession Act of 1925 r/w Order XXV Rule 5 of the Original Side Rules, petitioners pray that Letters of Administration with the Will annexed may be granted to the petitioners as sons and surviving legal representatives and beneficiaries under the Will of the deceased having effect limited to the State of Tamilnadu.

For Petitioners : Mr. R.Ramachandra

For Respondents : Mr.K.L.Siddhu Reddy for R1
No appearance for R2 and R3

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the Will dated 03.11.1995 executed by late K.Raman, who died on 30.11.1998. The first and second petitioners are the sons, third petitioner is the



daughter in-law, first and second respondents are daughters and third respondent is the grand daughter of the testator. The testator has not appointed any executor under the Will. The petitioners are the beneficiaries under the Will. The petitioners seek issuance of Letters of Administration in respect of the properties situate within the jurisdiction of this Court.

2. The first petitioner has been examined as P.W.1. He has produced the death certificates of the testator K.Raman, R.Shantha Raman (son of the testator) as, Exs.P2 and P4. The Original registered Will dated 03.11.1995 has been marked as Ex.P1. The legal heirship certificate of the testator and his son R.Shantha Raman has produced as Exs.P3 and P5. A perusal of Ex.P3 shows that the first and second petitioners, first and second respondents are the Class-I legal heirs of the testator. On perusal of Ex.P5 shows that the third petitioner and third respondent are the Class-I legal heirs of the deceased son. The first and third respondents have expressed their consent to grant Letters of Administration in favour of the petitioners and their consent affidavits are marked as Exs.P12 and P13. Despite the notice being served on the second respondent, none has appeared before this Court either in person or through his counsel. Pursuant to the general publications made any objections have not been received from the respondents herein or from any other person.



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3. The petitioner has examined one Selvaraj, who is the first attesting witness to the Will as P.W.2. He has spoken about the execution of the Will by the testator and its attestation by himself and by A.S.Ramalingam.

4. In view of the above said evidence, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioners, in respect of the Will dated 03.11.1995 of the testator K.Raman. The petitioners are 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 are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index :Yes/No

Internet: Yes/ No

Petitioner's witness:

P.W.1- Mr.Satyendran

P.W.2- Mr.Selvaraj

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original registered Will dated 03.11.1995 executed by Mr.K.Raman
Ex.P2	The computer generated death certificate of Mr.K.Raman
Ex.P3	Original legal heirship certificate dated 26.11.2007 of



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<i>Exhibits</i>	<i>Documents</i>
	Mr.K.Raman
Ex.P4	The computer generated death certificate of Dr.R.Shantha Raman
Ex.P5	Original legal heirship certificate dated 18.02.2014 of Mr.R.Shantha Raman
Ex.P6	Computer generated death certificate of Shanthi Raman
Ex.P7	Computer generated legal heirship certificate dated 17.12.2021 of Shanthi Raman
Ex.P8	(Series 2 Nos.) Online printout of property tax receipt K.Raman
Ex.P9	Affidavit of assets showing net value of estate as Rs.2,00,00,000/-
Ex.P10	Paper publication effected in one issue of Tamil daily “Malai Thamizhagam” dated 26.03.2023
Ex.P11	Paper publication effected in one issue of English daily “Trinity Mirror” dated 10.03.2023
Ex.P12	Consent affidavit of the first respondent
Ex.P13	Consent affidavit of the third respondent
Ex.P14	Affidavit of the first attesting witness

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