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O.P.No.651 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.651 of 2022

1.Nithya Ramkumar
2.Rangarajan K.Sundaram

... Petitioners

Vs.

Ram K.Sundaram

... Respondent

Prayer: Original Petition filed for issuance of Letters of Administration under Section 232 & 276 of the Indian Succession Act XXXIX of 1925 r/w 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 the beneficiaries under the Will of the said deceased Vasantha Sundaram.

For Petitioners : Mr. R.Jayakumar

For Respondent : No Appearance

ORDER

This Original Petition has been filed for issuance of Letters of Administration in respect of the Will dated 17.07.2017 executed by Vasantha Sundaram, who died on 04.05.2020. The first petitioner is the daughter, second petitioner and the respondent are the sons of the testatrix. The testatrix has not appointed any executor under the Will. The petitioners and the respondent are the beneficiaries under the Will. The



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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. She has produced the death certificates of the testatrix Vasantha Sundaram and K.R.Sundaram (husband of the testatrix) as Exs.P3 and P1. The legal heirship certificate of the testatrix is produced as Ex.P4. A perusal of Ex.P4 shows that the petitioners and the respondent are the Class-I legal heirs of the testatrix. The Original unregistered Will dated 17.07.2017 has been produced as Ex.P17. The respondent has expressed his consent to grant Letters of Administration in favour of the petitioners and the consent affidavit is marked as Ex.P21. General publications has been made and any objections have not been received.

3. The petitioner has examined one K.N.Venkatasubramanian, who is the first attesting witness to the said Will as P.W.2. He has spoken about the execution of the Will by the testatrix and its attestation by himself and P.V.Sathyamurthy.

4. In view of the above, this Original Petition is ordered and Letters of Administration is granted in favour of the petitioners, in respect of the Will dated 17.07.2017 of the testatrix Vasantha Sundaram. The petitioners are directed to



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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 petitioners 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- Mrs.Nithya Ram Kumar

P.W.2- Mr.K.N.Venkatasubramanian

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of K.R.Sundaram
Ex.P2	Photocopy of the legal heir certificate of K.R.Sundaram
Ex.P3	Computer generated death certificate of Vasantha Sundaram
Ex.P4	Computer generated legal heir certificate of Vasantha Sundaram
Ex.P5	Certified copy of the equity shares holding statement in Demat account issued by HDFC Bank dated 29.10.2021 in respect of shares held by Vasantha Sundaram
Ex.P6	Original equity share holding confirmation letter in respect of shares held by Vasantha Sundaram from Sundaram Fastners Ltd dated 31.10.2021
Ex.P7	Printout dated 21.12.2021 of the stock details for Sundaram Fastners Limited showing the value of the shares



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<i>Exhibits</i>	<i>Documents</i>
Ex.P8	Photocopy of the equity share certificate in ICICI Bank bearing No.00009708 standing in the name of Vasantha Sundaram dated 09.12.2014
Ex.P9	Photocopy of the equity share certificate in ICICI Bank bearing No.00908400 standing in the name of Vasantha Sundaram dated 24.06.2017
Ex.P10	Printout dated 21.12.2021 of the stock details for ICICI Bank showing the value of the shares
Ex.P11	Printout dated 30.10.2021 of the guideline value of the property mentioned in the petition
Ex.P12	Photocopy of the sale deed dated in favour of Sri.K.R.Sundaram dated 12.05.1976
Ex.P13	Photocopy of the Release deed in favour of Vasantha Sundaram dated 03.01.2017
Ex.P14	Photocopy of the Release deed in favour of Vasantha Sundaram dated 06.01.2017
Ex.P15	Online printout of the property tax receipt issued by Greater Chennai Corporation in the name of Mrs.Vasantha Sundaram dated 15.10.2021
Ex.P16	Online printout of the water tax receipt in the name of Mrs.Vasantha Sundaram dated 25.09.2021
Ex.P17	The original Will executed by Mrs.Vasantha Sundaram dated 17.07.2017
Ex.P18	Copy of paper publication effected in Tamil daily “Makkal Kural” dated 01.04.2023
Ex.P19	Copy of paper publication effected in English daily “Trinity Mirror” dated 08.04.2023
Ex.P20	Affidavit of assets showing the net value of the estate as Rs.63,86,10,000/-
Ex.P21	Consent affidavit given by the respondent Ram K.Sundaram
Ex.P22	Affidavit of the first attesting witness



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