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O.P.No.258 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **10.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 258 of 2023

V.Rajalakshmi		... Petitioner
	Vs.	
Ravishankar Iyer		... Respondent

PRAYER: Original Petition filed under Sections 232 and 276 of the Indian Succession Act XXXIX of 1925, read with Order XXV Rule 5 of Original Side Rules to grant Letters of Administration with Will annexed in favour of the petitioner as daughter beneficiary under the Will dated 16.04.2015 of the Testator Mr.R.Venkatraman (deceased) having effect throughout the whole of the State of Tamil Nadu.

For Petitioner : M/s.R.Nandhini

ORDER

The petition has been filed seeking Letters of Administration with Will annexed. The Will is dated 16.04.2015 and had been executed by R.Venkatraman, father of the petitioner and respondent. R.Venkatraman died on 06.05.2021.

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2. It is stated that the petitioner and respondent are the only available legal heirs. It is also stated that the respondent had not raised any objection.

3. After following due procedure, the petitioner was directed to tender evidence. Accordingly, the petitioner examined herself as P.W.1. She marked the original Will dated 16.04.2015 as Ex.P7 and death certificate of R.Venkatraman as Ex.P8. She also marked the documents relating to the property as Exs.P1, P3 and P11. The petitioner also examined Mr.S.V.Ganeshan as P.W.2, who was one of the attestors to the Will. He affirmed Ex.P7 – Will and stated that at the time of execution of the Will, R.Venkatraman was in sound state of mind and good health. He also stated that he and other attesting witness who was actually his brother also signed the Will in the presence of the testator. He also filed an affidavit which has been marked as Ex.P17.

4. Taking into consideration the nature of evidence adduced and documents produced, this Original Petition stands allowed. Letters of



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Administration with Will annexed to be granted to the petitioner in accordance with rules. Such Letters of Administration shall have effect throughout the State of Tamil Nadu. 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 and she is 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
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APPENDIX

Petitioner's witness:

P.W.1 – Mrs.V.Rajalakshmi

P.W.2 – Mr.S.V.Ganeshan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 25.08.1982 executed in favour of Mr.K.R.Rajagopalan (compared with the original).



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<i>Exhibits</i>	<i>Documents</i>
Ex.P2	Computer generated death certificate of Mr.K.R.Rajagopalan.
Ex.P3	Photocopy of the release deed dated 19.01.2011 executed in favour of Mr.R.Venkatraman (compared with the original).
Ex.P4	Photocopy of the name transfer certificate dated 08.11.2012 issued in favour of Late Mr.R.Venkatraman by Corporation of Chennai (compared with the original).
Ex.P5	Computer generated electricity bill stands in the name of R.Venkatraman.
Ex.P6	Computer generated metro water receipt stands in the name of R.Venkatraman.
Ex.P7	Original registered Will dated 16.04.2015 executed by R.Venkatraman.
Ex.P8	Computer generated death certificate of R.Venkatraman Rajagopalan.
Ex.P9	Computer generated property tax receipt dated 04.06.2021 stands in the name of R.Venkatraman.
Ex.P10	Certificate under Section 63 of BSA, 2023 in respect of the electronic documents.
Ex.P11	Encumbrance certificate for the period 01.01.2005 to 09.04.2015 in respect of the schedule mentioned property.
Ex.P12	Photocopy of my birth certificate (compared with the original).
Ex.P13	Photocopy of my Aadhaar Card (compared with the



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<i>Exhibits</i>	<i>Documents</i>
	original).
Ex.P14	Affidavit of assets showing the net value of the estate as Rs.24,70,000/-.
Ex.P15	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 20.04.2024.
Ex.P16	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 27.04.2024.
Ex.P17	Affidavit of Mr.S.V.Ganeshan.

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