



WEB C.V. **C.V.KARTHIKEYAN,J.**

This Original Petition has been filed taking advantage of Sections 232 and 276 of the Indian Succession Act, 1925 along with relevant rules of the Original Side of Madras High Court seeking grant of Letters of Administration with Will annexed with respect to the Will dated 19.07.2010 executed by Mr.A.B.Ramachandran, the father of the petitioner and the two respondents, who unfortunately died on 17.08.2021. The mother of the petitioner, subsequently, died on 29.03.2023. The petitioner and the two respondent are the only persons interested in the Will executed by their father, A.B.Ramachandran. The petitioner is the beneficiary under the Will. The respondents have filed their consent affidavit.

2.After following due procedures, the parties were directed to tender evidence. Accordingly, the petitioner examined himself as PW-1. He marked the original Will dated 19.07.2010 as Ex.P5. The death certificate and the legal heirship certificate of his father were marked as Exs.P6 and P7. The death certificate of his mother was marked as Ex.P10. The respondents had also received a sum of Rs.10/- Lakhs each and confirming that, the receipts were marked as Exs.P8 and P9. The documents relating to the properties were marked as Exs.P1 to P4.



3.The petitioner also examined Mr.S.Parthasarathy as PW-2, who is the second attesting witness. He confirmed that the executor was in a sound disposing state of mind at the time of execution of Will and confirmed that the Will was signed in his presence and in the presence of the other attesting witness, Mr.N.Gopal and they also signed the Will in the presence of the executor. He also identified the Will, which had been marked as Ex.P5.

4.In view of the evidence adduced, I hold there is every ground to grant the relief sought in the Original Petition namely, granting Letters of Administration with Will annexed.

5.With the above observations, this Original Petition stands allowed. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is directed to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in favour of the Assistant Registrar (O.S.II) High Court, Madras. The petitioner is further directed to render true and correct accounts once in a year.

11.06.2024

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