



O.P.No.707 of 2023

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WEB COPY **N.SATHISH KUMAR, J.**

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of the Original Side Rules, seeking to grant of Letters of Administration in favour of the petitioner in respect of the Will of the testatrix S.Chandra.

2. This petition has been filed for grant of Letters of Administration in respect of the Will of one S.Chandra executed on 14.03.2018 while she was in sound state of mind. The testatrix died on 24.05.2018. The husband of the testatrix V.R.Srinivasan @ V.R.Srinivasalu predeceased her on 27.02.2011. They had no issues. The petitioner is the uncle's son of the testator. The parents and brothers and sisters of the testatrix are no more. There is no other person to be impleaded in this petition. The amount of assets which is likely to come to the hands of the petitioner does not exceed an aggregate sum of Rs.85,00,000/- and the net amount of the said assets after deducting all the items, which the petitioner is by law allowed to deduct is only of the value of Rs.85,00,000/-. The petitioner hereby undertake to



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duly administer the specified property and credits of the deceased in any way concerning her Will by paying the debts first and then the legacies therein bequeathed so far as the assets will extend and to make full and true inventory thereof and exhibit the same in this Court within six months from the date of the grant of a Letters of Administration with the Last Will annexed to the petition and also to render to this Court a true account of the said property within one year from the said date.

3. The petitioner has been examined as P.W.1. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in his favour in respect of the Last Will and Testament executed by the deceased S.Chandra on 14.03.2018. The Will executed by the deceased S.Chandra has been marked as Ex.P.1. Ex.P.2 and Ex.P.8 have been filed to show the assets of the testatrix. Ex.P.9 is the computer generated death certificate of the deceased S.Chandra. Ex.P.9 has been filed to prove that the testatrix S.Chandra died on 24.05.2018. Ex.P.7 is the computer generated death certificate of the husband of the testatrix, V.R.Sreenivasalu. Ex.P.7 has



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been filed to show that the husband of the testatrix died on 27.02.2011.

Ex.P.15 is the copy of the letter sent by City Union Bank Ltd., T.Nagar Branch to the petitioner. Ex.P.18 is the affidavit of assets showing the net value of assets of the testatrix as Rs.85,00,000/-. Ex.P.16 and Ex.P.17 are paper publications, but none objected for the same.

4. The first attesting witness of the Will executed by the testatrix S.Chandra, Ms.Supraja was examined as P.W.2. In her evidence, P.W.2 had stated that she have signed as the first attesting witness in the Will. They have further stated in their evidence that the testatrix was in sound state of mind while executing the Will and she has also seen the testatrix and other attesting witness Ms.Supriya signing the Will. She has also stated that the testatrix has seen the attesting witnesses subscribing their signature in the Will. The affidavit of the attesting witness is marked as Ex.P.19. The evidence of P.W1 and P.W.2 not only prove the execution but also attestation of the Will and there is no other materials to suspect the Will.



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5. In view of the above facts, I am of the view that the petitioner has proved execution and attestation of the Will. Hence, the petitioner is entitled for the issuance of Letters of Administration in his favour.

6. Accordingly, this petition is allowed. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is also directed to execute a security 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.

27.03.2024

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