

O.P.No.558 of 2022

RMT.TEEKAA RAMAN,J.,

This original petition has been filed taking advantage of Sections 222 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 of K.S.Meenakshi Ammal, who had died on 12.01.2010. The property is situated within the jurisdiction of this Court.

2(a).The testator Smt.K.S.Meenakshi Ammal died on 12.01.2010 at Malar Hospitals Ltd, No.52, 1st Main Road, Gandhi Nagar, Adyar, Chennai - 600 020 and leaving behind the following legal heirs:

- a. K.S.Shivasubramanian (1st petitioner) (son)
- b. K.S.Duraiswamy (2nd petitioner) (son)
- c. K.S.Ramaswamy (3rd petitioner) (son)
- d. K.S.Nandini (1st respondent) (daughter)
- e. K.S.Jayalakshmi (deceased) (daughter)
- f. K.S.Hemamalini (deceased) (daughter)

(b) The husband of the deceased viz., K.S.Sambasiva Iyer predeceased her on 18.03.1961.

3. The petitioners 1 to 3 and 1st respondent are the sons and daughter of deceased K.S.Meenakshi Ammal and respondents 2 to 6 are husband, sons and daughters of Late Jayalakshmi Ammal and respondents 7 and 8 are husband and son of Late K.S.Hemamalini. The said Jayalakshmi Ammal and K.S.Hemamalini are daughters of deceased K.S.Meenakshi Ammal, whose



died on 01.01.1999 and 29.06.2020 respectively and are the beneficiaries

named under the said Will.

4. The above said K.S.Jayalakshmi one of the daughter of testator predeceased her and died intestate on 01.01.1999, leaving behind the following legal heirs:-

- (i) S.Rajagopalan (husband) 2nd respondent
- (ii) R.Sivakumar (son) (grandson of K.S.Meenakshi Ammal) 3rd respondent
- (iii) R.Swarnalatha (daughter) (grand daughter of K.S.Meenakshi Ammal) 4th respondent
- (iv) R.Gowtham (son) (grandson of K.S.Meenakshi Ammal) 5th respondent
- (v) R.Kamatchi (daughter) (grand daughter of K.S.Meenakshi Ammal) 6th respondent

5. The said K.S.Hemamalini another daughter of testator died on 29.06.2020, leaving behind the following legal heirs:-

- (a) H.Mahadevan (husband) 7th respondent
- (b) M.Harivenkatesh (son) (grandson of K.S.Meenakshi Ammal) 8th respondent

6. After following due procedure, the petitioner is invited to tender evidence. Accordingly, the 1st petitioner was examined as PW-1 and Exs.P1



to P11 have been marked

7. The following documents were marked through P.W.1. are as follows:

<i>Sl. No.</i>	<i>Exhibits</i>	<i>Documents</i>
1.	Ex.P1	Original Will dated 20.10.2007 executed by Late K.S.Meenakshi Ammal
2.	Ex.P2	Death certificate of Late K.S.Meenakshi Ammal
3.	Ex.P3	Death certificate of K.S.Hemamalini
4.	Ex.P4	Legal heir certificate of Mrs.Hemamalini
5.	Ex.P5	Share certificate bearing certificate No.4482 in City Union Bank Ltd standing in the name of Mrs.K.Meenakshi Ammal
6.	Ex.P6	Original Valuation report dated 04.03.2021 issued by Maitra Commodities Pvt Ltd.
7.	Ex.P7	Affidavit of assets showing the net value of the estate as Rs.12,75,293/-
8.	Ex.P8	Legal heir certificate of Mrs.Meenakshi Ammal
9.	Ex.P9	Affidavit
10.	Ex.P10	Death certificate of Mrs.Jayalakshmi Ammal
11.	Ex.P11	Legal heir certificate of Mrs.Jayalakshmi Ammal

8. Taking into consideration of the pleadings, the execution of the Will has been proved in the manner known to law as contemplated under the Indian Succession Act and Indian Evidence Act and there is no impediment for grant of Will itself and hence, I am inclined to grant probate in favour of the petitioner.

9. Taking the evidence into consideration and the documents produced, the Original Petition stands allowed and the probate to be issued to the



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petitioners in accordance with rules.

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