



O.P.No.856 of 2023

RMT.TEEKAA RAMAN,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, relating to a Will dated 10.08.2022 executed by S.Panchavarnam, who had died on 19.10.2022.

2.The said S.Panchavarnam was the wife of the 1st respondent. The first petitioner herein is the son of the deceased testatrix and the second and third respondents are the daughters of the deceased testatrix. The said T.Panchavarnam had also executed a Will dated 10.08.2022 in the presence of two witnesses. The two witnesses who have attested the Will are M.Shanthi and S.Chitra. No executor was appointed under the Will. One of the witnesses M.Shanthi was examined as PW-2.

3.The 1st petitioner examined himself as PW-1. He also marked Exs.P1 to P8. The original Will dated 10.08.2022 and the death certificate and legal heirship certificate of S.Panchavarnam had been marked as Exs.P2 and P3. The affidavit of assets had been marked as Exs.P4 & Ex.P6.Ex.P5 is the sale deed dated 17.06.2005 executed in favour of S.Panchavarnam. Exs.P7&P8 are the paper publication effected in one issue of Tamil and English namely "Makkal Kural" and "Trinity Mirror", dated 25.06.2024 and 15.06.2024.



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4.Taking into consideration that the Will has been proved in manner known to law by examining the first attesting witness PW-2, which is one of the requisite conditions under Section 69 of the Indian Evidence Act, Letters of Administration with Will annexed is granted to the petitioners herein.

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.

09.08.2024

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