



O.P.No.681 of 2023

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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 property of Mr.S.Parthasarathy, who had died on 02.07.2010.

2.It is stated that the petitioner is the brother of the deceased, S.Parthasarathy, who died on 02.07.2010 leaving behind a Will dated 23.01.2009, which had been registered as Document No.2 of 2009 in the office of the Sub-Registrar, Konnur, Chennai, dated 27.01.2009. The 1st respondent is the mother of the petitioner and the deceased. The 2nd and 3rd respondents are the sisters of the petitioner and the deceased. The 3rd respondent had filed a consent affidavit stating that she has no objection for grant of the relief sought in this original petition.

3.The 1st and 2nd respondents are the attestors of the Will. The petitioner, quite apart from examining himself as PW-1 and marking Ex.P1, the original registered Will dated 23.01.2009, Ex.P8, the Death Certificate of S.Parthasarathy and Exs.P2, P3, P4 and P14 which are the documents



relating to the immovable properties and the savings bank account in the name of the deceased and Ex.P15, the affidavit of assets, had also examined PW-2, the 2nd respondent, who was the attesor to the said Will. The 2nd respondent had identified Ex.P1, Will dated 23.01.2009 and stated that she and other attesor, her mother, 1st respondent had signed the Will in the presence of the deceased S.Parthasarathy, who also signed the Will in their presence.

4.In view of the evidence adduced, I hold there is every reason 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.

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