



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.

2. This petition has been filed for grant of Letters Administration in respect of the Will of one K.N.Shrinivsan executed on 01.08.2018. The petitioner is the deceased's wife's younger sister's daughter. The respondents 1 and 2 are the brother and sister of the testator and the respondents 3 to 9 are the children of the brothers and sisters of the testator. The deceased was married to Devaki Shrinivasan, they had no children. The deceased died on 17.10.2019 and his wife on 22.02.2016. The deceased executed the Will on 01.08.2018 giving absolute right to the petitioner herein and the petitioner is the sole beneficiary. The respondents have given consent for grant of Letters of Administration in favour of the petitioner. The petitioner hereby undertakes to duly administer the specified property and credits of the deceased in any way concerning his 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 exhibits the same in this Court within the 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 her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in her favour in respect of the Last Will and Testament executed by the deceased Mr.K.N.Shrinivasan on 01.08.2018. Ex.P.1 is the original will dated 01.08.2018 executed by the deceased. Ex.P2 is the computer generated death certificate of the deceased. Ex.P.2 has been filed to prove that the testator died on 17.10.2019. Ex.P3 is the computer generated death certificate of Mrs.Devaki Shirinivasan. Ex.P4 is the photocopy of the Aadhar card of the petitioner. Ex.P5 is the photocopy of the legal heir certificate of the deceased. Ex.P7 is the affidavit of assets showing the net value of the estate as Rs.26,33,330/-. Exs.P.8 & Ex.P.9 are the copies of paper publication, but none have objected for the same. All the respondents have filed their consent affidavit in granting letters of administration in favour of



the petitioner.

WEB COPY

4. One Kothimangalam Srinivasan Uppilivasan, who is the second attesting witness in the Will, was examined as P.W.2,. In his evidence, he has stated that the testator was in sound state of mind while executing the Will and he has also seen the testator signing the Will and the other attesting witness signing in the document. He has also stated that the testator has seen the attesting witnesses subscribing their signature in the Will. The evidence of attesting witness not only prove the execution but also attestation of the Will and there is no other materials to suspect the Will. Ex.P10 is the affidavit of the P.W.2.

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

20.03.2024

dhk



WEB COPY



5

N.SATHISH KUMAR, J.

dhk

O.P. No.607 of 2023

20.03.2024