



RMT.TEEKAA RAMAN,J.

This original petition has been filed taking advantage of Sections 232 and 276 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of O.S.Rules, seeking grant of Letters of Administration with certified copy of the Will annexed of Vangipuram Srinivasan, who had died on 16.10.2009. The petitioner is the beneficiary in the Will.

2. The respondents 1 to 4 are the Class I legal heirs of the deceased Vangipuram Srinivasan, being his sons and daughters. Respondents 5 to 11 and the petitioner are the beneficiaries under the Will executed by Late Vangipuram Srinivasan.

3. The deceased left behind an immovable property being the land of an extent of 2,800 sq.ft together with the construction effected thereon bearing Plot No.53, Venus Street, Mathiyalagan Nagar, Mogappair, Chennai - 600 050, comprised in Survey No.86/1 of Mogappair Village, Ambattur Taluk, Thiruvallur District.

4. The Will was duly registered in the office of the Sub Registrar, Konnur on 2.4.2008 as Doc.No.28 of 2008 (Book III) within the jurisdiction of this Court.



5. The respondents 1 to 4 are the only surviving Class-I legal heirs of the deceased Testator.

6. Mr.Sudharsan V.Ranga was examined as P.W.1 and Exs.P1 to P9 were marked and 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	The original registered Will and Testament dated 02.04.2008 executed by Mr.Vangipuram Srinivasan
2.	Ex.P2	The death certificate of Mr.V.Srinivasan
3.	Ex.P3	The death certificate of Mrs.V.S.Jayalakshmi
4.	Ex.P4	The legal heir certificate of Mr.V.Srinivasan
5.	Ex.P5	The sale deed dated 05.06.1970 executed in favour of Mr.V.Srinivasan
6.	Ex.P6	The affidavit of assets showing the net value of the estate as Rs.2,05,00,000/-
7.	Ex.P7	The copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 02.08.2024
8.	Ex.P8	The copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 10.08.2024
9.	Ex.P9	The affidavit under Section 63A of BSA.

7. Ex.P1 Will was examined as P.W.2 and he deposed that the testator was in a sound state of mind and in good health at the time of execution of Ex.P1 Will.

8. 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 his favour.



9. In view of the evidence adduced and since the Will had been proved in manner known to law though by taking recourse to under Section 68 of the BSNS Act, I hold there is no impediment to grant the relief sought in the Original Petition namely, granting Letters of Administration with Will annexed.

10. 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.

22.10.2024

nvi



WEB COPY



4

RMT.TEEKAA RAMAN,J.

nvi

O.P.No.294 of 2024

22.10.2024