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O.P.No.599 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.03.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.599 of 2024

T.Amutha @ V.T.Haripriya

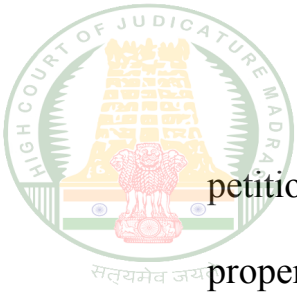
...Petitioner

PRAYER: Original Petition filed under Sections 232, 255 and 276 of Indian Succession Act, 1925 read with Order XXV Rule 5 of O.S.Rules, prays that Letters of Administration with the Will annexed may be granted to her as the adopted daughter/beneficiary named under the Will of the deceased to have effect limited to the State of Tamil Nadu.

For Petitioner : Mr.E.Senthilkumar

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 30.07.2010 executed by late.S.Jayalakshmi, who died on 03.12.2022. The petitioner is the adopted daughter of Testatrix and her husband. The husband of the testatrix predeceased her on 25.07.2013. The petitioner is the only beneficiary under the said will. The testatrix has not appointed an executor under the will. The



petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

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2. The petitioner has examined herself as PW1. She has produced the computer generated death certificates of the testatrix and her husband as Ex.P5 and Ex.P2. The legal heirship certificates of the testatrix's husband as Ex.P3. The Original registered Will and Testament dated 30.07.2010 as Ex.P4. On perusal of Ex.P3 and Ex.P5, it clearly shows that the testatrix is the only legal heir of the testatrix's husband. On perusal of Ex.P4, it shows that the testatrix has bequeathed her property to her adopted daughter since she does not have children. The paper publications were made and marked as Ex.P7 and Ex.P8. Objections have not been received from any person.

3. The petitioner has examined Mr.S.Sudharsan and Mr.M.Ravi, who are the attesting witnesses to the said Will as PW2 and PW3. They have spoken about the execution of the Will by the testatrix and its attestation by them and have marked their affidavit as Ex.P10 and Ex.P12.

4. The assertions in the petition have been duly proved by adducing



oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief.

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5. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioner, in respect of the Will dated 30.07.2010 of the testatrix Late.S.Jayalakshmi. The petitioner is directed to execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) in the name of the Assistant Registrar (Original Side) of this Court. The petitioner is further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.T.Amutha @ V.T.Haripriya

P.W.2 - Mr.S.Sudharsan

P.W.3 – Mr.M.Ravi

Documents exhibited by the petitioners:

Exhibits	Documents
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Ex.P1	Photocopy of the sale deed dated 21.10.2002 executed in favour of Mrs.S.Jayalakshmi and Mrs.T.Amutha @ V.T.Haripriya. (Compared with the original)
Ex.P2	Computer generated death certificate of Mr.R.Soundararajan.
Ex.P3	Photocopy of the legal heirship certificate of Mr.R.Soundararajan. (Compared with the original)
Ex.P4	Original registered Will and Testament dated 30.07.2010 executed by Mrs.S.Jayalakshmi.
Ex.P5	Computer generated death certificate of Mrs.S.Jayalakshmi.
Ex.P6	Affidavit of Assets showing the net value of the estate as Rs.15,33,750/-
Ex.P7	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 12.11.2024.
Ex.P8	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 19.11.2024.
Ex.P9	Affidavit under Section 65 B of the Indian Evidence Act 1872.
Ex.P10	My affidavit.
Ex.P11	Photocopy of my Aadhaar Card.(Compared with the original)
Ex.P12	My affidavit.
Ex.P13	Photocopy of my Aadhaar Card (Compared with the original)

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K.KUMARESH BABU, J.



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