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O.P.No.116 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.02.2025**

CORAM

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

O.P.No.116 of 2024

R.Vijayalakshmi

...Petitioner

VS.

1.Kannappan Srinivasan
2.S.Soundharajan
3.S.Anantharaman

...Respondents

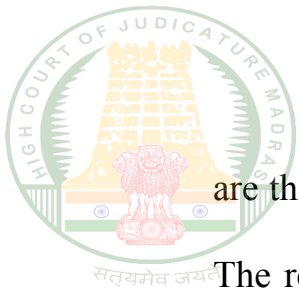
PRAYER: Original Petition filed under Sections 236 & 276 of Indian Succession Act, XXXIV of 1925 and Order XXV Rule 5 of O.S.Rules, prays that Letters of Administration with the will annexed may be granted to her as the beneficiary of the said deceased having effect throughout the State of Tamil Nadu.

For Petitioner : M/s.P.Rakshana Velayudhan

For Respondents : No appearance

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 05.12.1996 executed by late.S.Chellammal, who died on 05.07.2015. The petitioner and respondents



are the children of the testatrix and only surviving legal heirs of the testatrix.

The respondents in spite of service of notice have remained absent and kept themselves away from their proceedings. The petitioner is the only beneficiary under the said will. The petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The petitioner has been examined as PW1. He has produced the original death certificate of the Testatrix as Ex.P3. The Original registered will and testament dated 05.12.1996 as Ex.P1. The legal heir certificate of the testator as Ex.P4. On perusal of the Ex.P4, it clearly exhibits that the testator had one daughter and three sons. The petitioner and respondents are the children of the testator, the only surviving legal heirs of the testatrix late.Chellammal.

3. The petitioner has examined Mr.R.Muthukrishnan, who is the first attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him and marked his affidavit as Ex.P10.



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4. 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 05.12.1996 of the testatrix late.S.Chellammal. 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.

13.02.2025

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Index :Yes/No

Petitioner's witness:

P.W.1 - Mrs.R.Vijayalakshmi

P.W.2 – Mr.R.Muthukrishnan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original registered Will and Testament dated 05.12.1996 executed by Mrs.S.Chellammal.
Ex.P2	Photocopy of the sale deed dated 10.12.1984 executed in favour of Mrs.Chellammal (Compared with the original)
Ex.P3	Original death certificate of Mrs.Chellammal.
Ex.P4	Computer generated legal heir ship certificate of Mrs.Chellammal.



WEB COPY

O.P.No.116 of



<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Photocopy of the property tax demand card stands in the name of Mrs.S.Chellammal and Mrs.Vijayalakshmi (Compared with the original)
Ex.P6	Affidavits of assets showing the net value of the estate as Rs.9,80,000/-
Ex.P7	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 22.06.2024.
Ex.P8	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 29.06.2024.
Ex.P9	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P10	My affidavit as attesting witness.
Ex.P11	Photocopy of my Aadhaar Card (Compared with the original)

13.02.2025

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O.P.No.116 of



K.KUMARESH BABU,J.

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O.P.No.116 of 2024

13.02.2025