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O.P.No.177 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM:

THE HONOURABLE MR JUSTICE K.KUMARESH BABU

O.P.No.177 of 2024

Mr.K.Ravindranath

... Petitioner

..Vs..

Nil

... Respondent

Prayer:

This Letters of Administration with Will annexed may be granted to the petitioner as the beneficiary under the Will of deceased thereof to have effect limited to the State of Tamil Nadu. Gross Amount of Rs.1,87,53,000/- and Net Amount of Rs.1,87,33,000/-) Suc.duty of Rs.25,000/- paid on 15/04/2024 by C/F D.No.13148/2024

For Petitioner : Mr.M.Murali

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 03.04.1998 executed by



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late.K.Uma Maheswara Rao, who died on 21.07.2003. The testator got married twice, once with Mrs. Vijayalakshmi and another time with K.Sujatha. Both nuptial lives were not successful, one got divorced and another got separated. The petitioner is the brother of the testator and the only beneficiary under the Will. The testator 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.

2. The petitioner has examined himself as PW1. He has produced the original death certificate of the Testator as Ex.P4. The original will and testament dated 03.04.1998 as Ex.P2. The certified copy of the probate order dated 25.08.1992 as Ex.P3, wherein a Will dated 20.04.1987 executed by the father of the testator was probated. The aadhar card of the petitioner as Ex.P5. On perusal of Ex.P2 and Ex.P3, it clearly shows that the petitioner and brother are the siblings. The paper publications were made and marked as Ex.P10 and Ex.P11, wherein it is stated that the petitioner is the only surviving legal heir of the testator. Objections have not been received from any persons.

3. The petitioner has examined Mr.P.Bhaskar Rao, who is the



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second 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 has marked his affidavit as 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.

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 03.04.1998 of the testator late.K.Uma Maheswara Rao. 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.

Dn
Index: Yes/No

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Speaking: Yes/No

Neutral Citation: Yes/No

Petitioner's Witness:

PW.1 - Mr.K.Ravindranath

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 20.03.1965 executed in favour of Mr.K.Malekondiah Chowdary (Compared with the original).
Ex.P2	Original Will dated 03.04.01998 executed by Mr.K.Uma Maheswara Rao.
Ex.P3	Certified copy of the probate order dated 25.08.1992 in OP.No.289 of 1992 passed by this Hon'ble High Court
Ex.P4	Original death certificate of Mr.K.Uma Maheswara Rao.
Ex.P5	Photocopy of my Aadhaar Card (Compared with the original).
Ex.P6	Online printout of the guideline value of the property mentioned in the petition.
Ex.P7	Computer generated death certificate of Mr.Goli Subbarao
Ex.P8	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P9	Affidavit of assets showing the net value of the estate as Rs.1,87,33,000/-.
Ex.P10	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 15.07.2024.
Ex.P11	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 23.07.2024



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K.KUMARESH BABU, J.

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