

C1/16899/TC/12

Transport Commissionerate, Keralam,
Trans Towers, Thiruvananthapuram
Dated: 13-09-2012

From

The Transport Commissioner

To

All Deputy Transport Commissioners
All Regional Transport Officers
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Considering 'Will' for the death
transfer of a vehicle-Clarification issuing of-Reg
Ref: Petition dated 16-05-2012 from Smt.Vanajakshi Kunjamma,
Azhakathu Bunglow, Adoor

Attention is invited to the above subject. Vide reference cited, Smt.Vanajakshi Kunjamma has submitted a petition complaining that the 'Will' made by her deceased husband is not considering for the death transfer of vehicle. In this connection following clarification is issued for information and compliance.

As per Section 2(h) of the Indian Succession Act, a 'Will' means a legal declaration on intention of a testator with respect to his property which is desirous to be valid into effect after his/her death. A 'Will' is a testamentary dispossession of a person's property made during his life time but is intended to take effect only after the death of the testator i.e the executor of the 'Will'. A 'Will' having been validly made effective on the death of the testator and on the grant of a probate or letters of administration issued by a court of competent jurisdiction. Probate means a document or a copy of a 'Will' certified under the seal of a court of competent jurisdiction. Thus a 'Will', if it is certified by the competent court, may be considered as a document of succession of the property including the change of ownership of vehicles of the deceased.

Yours faithfully

Sd/-

Joint Transport Commissioner
For Transport Commissioner

Copy to: Smt.Vanajakshikunjamma, 10/195, Azhakathu Bunglow, Earathu,
Manakkala, Adoor

Approved for issue

Senior Superintendent

13/9/12