



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

TOS No. 20 of 2014

V.Chandru (Will of S.Balaraman)
New No.64, old No.43, Pushpa Nagar Main road,
Nungambakkam, Chennai - 600 034, Petitioner
declared as major as per order dated 09.12.2020 in
A.No.2991/2020 (Petitioner's father discharged
from guardianship as per order dated 16.03.2022
in A.No.2991/2020)

..Petitioner(s)

Vs

1. Vasanthi (Deceased)
W/o.Vijayan,
NO.11/1, OLD NO.70/C, SOONAMBEDU
ROAD, OLD MAMBAKKAM,
MADURANTHAGAM - 603 306
2. Vijayarani
W/o.Late Devaraj,
No.209/B, Railway colony, keelperumbakkam,
Villupuram district
(The Respondent cause title amended as per the
order dated 29.08.2024 in A.No.4310/2024)
3. Mohankumar (Deceased)
Thiruvannamalai District.
4. Senthilkumar
.
5. Rajakumari
D3 to D5 residing at No.400/A, Vannarapettai
II Street, Andampallam Post and Village,
Thiruvannamalai District
6. Navin Kumar (Minor)
Thiruvannamalai District.



7. Durga (Minor)

Both minors represented by
their mother and natural guardian

Mrs.Thilagavathy,

Both residing at No.400/A, Vannarapettai II
street, Andampallam Post and Village,
Thiruvannamalai District.

(D6 and D7 brought on record as Legal heirs of
deceased 3rd defendant, amended as per order
dated 16.03.2022 in A.No.2994/2020 and
Mrs.Thilagavathy mother of D6 and D7
appointed as guardian as per order dated
16.03.2022 in A.No.2995/2020)

8. Thilagavathy

W/o.Late Mohan Kumar,

No.400/A, Vannarapettai II Street,
Andampallam Post and Village,
Thiruvannamalai District.

(D8 brought on record as legal heir of D3 as per
order dated 09.04.2025 in A.No.6435/2024)

9. Vijayan

S/o.Ramasamy,

10. Vanitha

W/o.Kannan,

11. Valarmathi

D/o.Vijayan,

9 to 11 are residing at No.11/1, Old No.70/C,
Soonambedu Road,
Old Mambakkam,
Maduranthagam - 603 306.

12. V.Lakshmi

W/o.Late Vinoth,

13. V.Ganesh

S/o.Late Vinoth,

14. V.Akshaya

D/o.Late Vinoth,



12 to 14 are residing at
No.49, Mettu Street,
Oragadam,
Tirukalikundram - 603 109.
(D9 to D14 are brought on record as legal heirs
of defendant-1 as per order dated 10.06.2025 in
A.No.1865/2025 time extended and amended as
per order dated 30.06.2025)

..Respondent(s)

Prayer: The Testamentary Original Suit is filed under Sections 218 & 278 of the Indian Succession Act, 1925 r/w Order XXV Rule 5 of the O.S. Rules, to grant Letters of Administration to the property and credit of the deceased to the petitioner to have effect limited to the State of Tamil Nadu.

For Petitioner(s): M/s.S.Vasanthi

For Respondent(s): Ms.K.Kavitha
for D8 to D14

ORDER

This Testamentary Original Suit has been filed by the plaintiff seeking to grant Letters of Administration to the property and credits of the deceased to the petitioner.

2.The plaintiff would submit that the deceased S.Balaraman, who died on 03.03.1996, executed his last Will and testament and registered the same on 03.03.1993 at Chennai in the presence of attestors. The plaintiff is the



beneficiary under the said Will. It is further submitted that the wife of the deceased Balaraman died on 25.07.2003.

WEB COPY

3.Further, it is submitted that the property situated at old door No.43, new door No.64, Pushpa Nagar Main Road, Nungambakkam, Chennai - 600 034, Village T.S.No.588 to an extent of 1297 sq. ft., with building belongs to the deceased Balaraman who acquired the same out of his own income. The deceased Balaraman possessed and enjoyed the property and finally executed a Will in favour of his grandson for lifetime and vesting life interest on his son. No executor was appointed in the Will.

4.It is further submitted that the testator married one Jayalakshmi and out of the said wedlock four female children and one male child were born to them. They are D.Karpagam, V.Vasanthi, D.Vijayarani and B.Venkatesan. The other daughter namely M.Shanthi died leaving behind two sons namely Mohankumar and Senthilkumar and one daughter Rajakumari as her legal heirs. They are the respondents 3 to 5 in the above proceedings.

5.It is further submitted that, during the life time of the deceased Balaraman, he executed and registered a Will on 03.03.1993 in which the recitals show that the petition mentioned property is the self-acquired property of the deceased and since he had settled the marriage of his three daughters,



they have no right over the petition mentioned property.

WEB COPY

6.The petitioner is the only beneficiary of the Will. Since the testator has not appointed any executor under the said Will, the petitioner was constrained to file the present petition for Letters of Administration. The petitioner undertakes to duly administer the properties and credits of the deceased Balaraman and legacies bequeathed under the Will and also undertakes to render correct accounts of the said property and credit within one year from the date of grant of Letters of Administration to the petitioner. It is further submitted that the amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate the sum of Rs.20,98,026/- and the net amount of the said assets after deduction of all items which the petitioner is by law allowed to deduct is only the value of Rs.20,96,026/-. Hence, prayed for granting Letters of Administration to the property and credit of the deceased to the petitioner to have effect limited to the State of Tamil Nadu.

7.The 4th defendant on behalf of himself and on behalf of defendants 5 to 7 and defendants 10 to 14 has submitted a consent affidavit stating that they have no objection to allowing the said application, by freely giving their consent for the grant of Letters of Administration in respect of the last Will and testament dated 03.03.1993 executed by the deceased S.Balaraman, in favour of the plaintiff, in respect of the properties left behind by the deceased.



8. Heard the learned counsel on both sides and records perused.

9. The petition has been filed seeking Letters of Administration with the last Will and testament dated 03.03.1993 of late Balaraman annexed, in favour of the plaintiff/petitioner in respect of the property and credits of the deceased situated within the State of Tamil Nadu.

10. The Plaintiff/Petitioner has stated that late Balaraman died on 03.03.1996 leaving behind the Will dated 03.03.1993 as his last Will and testament. The Plaintiff/Petitioner seeks Letters of Administration in respect of the estate, properties and credits of the deceased covered by the said Will.

11. Notice was duly served on the Defendants/Respondents. The defendants 8 to 14 have entered appearance. The Defendants 4 to 14 have filed their consent/no objection to the grant of Letters of Administration in favour of the Plaintiff/Petitioner. There is no contest to the petition by the other defendants. The Plaintiff/Petitioner has placed the original Will dated 03.03.1993 and the other requisite documents before this Court. The evidence placed on record establishes the death of the testator and the execution of the Will. The evidence of one of the attestors of the Will was also recorded through a Commissioner. There is no material before this Court to doubt the genuineness or validity of the said Will.



12. Having regard to the pleadings, the evidence on record and, in particular, the no objection given by the defendants 4 to 14 and other defendants failed to contest, this Court is satisfied that the Plaintiff/Petitioner is entitled to the grant sought for.

13. Accordingly, Letters of Administration with the Will dated 03.03.1993 of late Balaraman annexed thereto are hereby granted in favour of the plaintiff/petitioner, in respect of the properties and credits of the deceased, with effect limited to the State of Tamil Nadu, subject to the plaintiff/petitioner duly complying with the statutory requirements and furnishing the requisite administration bond/security, if any, as required by law.

14. The Plaintiff/Petitioner shall administer the estate of the deceased in accordance with the terms of the said Will and shall duly account for the estate as required by law.

15. Letters of Administration shall be issued accordingly.

16. In the result, the Testamentary and Original Suit is decreed in the above terms. No order as to costs.

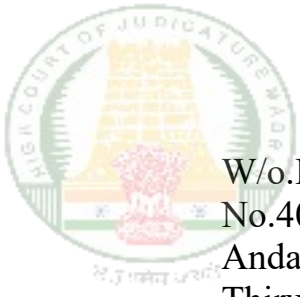
19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
VSN



To

1. VASANTHI (Deceased)
W/o.Vijayan,
NO.11/1, OLD NO.70/C, SOONAMBEDU
ROAD, OLD MAMBAKKAM,
MADURANTHAGAM - 603 306
2. Vijayarani
W/o.Late Devaraj,
NO.209/B, RAILWAY COLONY,
KEELPERUMBAKKAM, **VILLUPURAM**
DISTRICT
(The Respondent cause title amended as per the
order dated 29.08.2024 in A.No.4310/2024)
3. MOHANKUMAR (Deceased)
Thiruvannamalai District.
4. Senthilkumar
.
5. Rajakumari
D3 to D5 residing at No.400/A, Vannarapettai
II Street, Andampallam Post and Village,
Thiruvannamalai District
6. Navin Kumar (Minor)
Thiruvannamalai District.
7. Durga (Minor)
Both minors represented by their mother and
natural guardian Mrs.Thilagavathy,
Both residing at No.400/A, Vannarapettai II
street, Andampallam Post and Village,
Thiruvannamalai District.
(D6 and D7 brought on record as Legal heirs of
deceased 3rd defendant, amended as per order
dated 16.03.2022 in A.No.2994/2020 and
Mrs.Thilagavathy mother of D6 and D7
appointed as guardian as per order dated
16.03.2022 in A.No.2995/2020)
8. Thilagavathy



W/o.Late Mohan Kumar,
No.400/A, Vannarapettai II Street,
Andampallam Post and Village,
Thiruvannamalai District.
(D8 brought on record as legal heir of D3 as per
order dated 09.04.2025 in A.No.6435/2024)

9. Vijayan

S/o.Ramasamy,

10. Vanitha

W/o.Kannan,

11. Valarmathi

D/o.Vijayan,

9 to 11 are residing at No.11/1, Old No.70/C,
Soonambedu Road,
Old Mambakkam,
Maduranthagam - 603 306.

12. V.Lakshmi

W/o.Late Vinoth,

13. V.Ganesh

S/o.Late Vinoth,

14. V.Akshaya

D/o.Late Vinoth,

12 to 14 are residing at

No.49, Mettu Street,

Oragadam,

Tirukalikundram - 603 109.

(D9 to D14 are brought on record as legal heirs
of defendant-1 as per order dated 10.06.2025 in
A.No.1865/2025 time extended and amended as
per order dated 30.06.2025)



WEB COPY

TOS No. 20 of 2



K.GOVINDARAJAN THILAKAVADI J.

VSN

TOS No. 20 of 2014

19-08-2026