



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 07TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No. 464 of 2016

In the matter of the Indian
Succession Act, XXXIX of
1925

and

In the matter of the Last Will
and Testament of V.S.Lakshmi
Narayanan- Deceased.

MR.V.L.PARAMESHWARAN
S/o.Mr.V.S.Lakshmi Narayanan,
Flat EG, Jains Eiffel Garden,
New No.167 A, Old No.89 & 90,
Arcot Road, Vadapalani,
Chennai-600 026

..Petitioner

-Vs-

1. MRS.HEMA SRINIVASAN @ Hemalatha,
D/o.Mr.V.S.Lakshmi Narayanan,
No.G7, Narayana,
No.85, M.T.H.Road,
Villivakkam, Chennai-600 049

2. MR.V.L.VARADARAJ
@ V.L.Varadarajan,
F7, Narayana, No.85,
M.T.H.Road,
Villivakkam, Chennai-600 049



3. MR.V.L.SUBRAMANYAN
S/o.Mr.V.S.Lakshmi Narayanan,
No.A305, K.G.Signature City,
Service Road, Off. 200ft.Road,
Mogappair West Extn.,
Chennai-600 037

..Respondents

Original Petition praying that this Hon'ble Court be pleased that Letters of Administration with the Will annexed may be granted to him as the son / beneficiary of the said deceased having effect throughout the State of Tamil Nadu.

This Original Petition coming on this day before this court for hearing the court made the following order:

This Petition has been filed under Sections 232 and 276 of the Indian Succession Act, XXXIX of 1925, read with Order XXV Rule 5 of the High Court Original Side Rules, 1956 seeking for grant of Letters of Administration with a will annexed.

2. The petitioner is the son of the Testator, V.S.Lakshmi Narayanan, who died on 04.01.2013, leaving behind the petitioner and the respondents as his only legal heirs. The petitioner is the son, the first respondent is the daughter and the second and third respondent are the sons of the deceased Testator V.S.Lakshmi Narayanan.

3. V.S.Lakshmi Narayanan, during his lifetime had executed a



Registered Will dated 13.06.2003. Under the said Will, no executor was appointed and the beneficiaries are the petitioner and the respondents. The petitioner has sought for Letters of Administration of the Will dated 13.06.2003 executed by V.S.Lakshmi Narayanan. The Will was attested by two attesting witnesses viz., Mr.V.C.Mahadevan and Mr.R.Jayaraman and both of them are dead.

4. Before the Learned Master, the petitioner V.L.Parameshwaran was examined as P.W.1 and through his deposition, the following documents were marked as Exhibits:-

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Original registered Will and Testament dated 13.06.2003 executed by Mr.V.S.Lakshmi Narayanan.
Ex.P-2	Computer generated death certificate of V.S.Lakshmi Narayanan, who died on 04.01.2013.
Ex.P-3	original Legal Heirship certificate dated 19.01.2015 in respect of V.S.Lakshmi Narayanan.
Ex.P-4	Affidavit of assets showing the net value of the estate as Rs.65,00,000/-.
Ex.P-5	Series 2 Nos are the copies of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 17.10.2020 and one issue of English daily "Trinity Mirror" dated 24.10.2020.

5. The petitioner (P.W.1), in his deposition has reiterated the contents of the petition filed in support of O.P.No.464 of 2016. He has also stated that both the attesting witnesses referred to supra are dead. Mr.M.Saravanan was examined as P.W.2 and he is the son of Late.V.C.Mahadevan, one of



the attesting witnesses to the Will dated 13.06.2003. In his deposition, he has deposited that he is well acquainted with the signature of his father Late.V.C.Mahadevan, who was an attesting witness to the Will. He has also deposited that the signature found in the place of first attestor to the Will, is that of his father Mr.V.C.Mahadevan. And Mr.V.C.Mahadevan died on 18.09.2019 and the date of death of the another attesting witness is not known.

6. The respondents are the sister and brothers of the petitioner and the children of the Testator V.S.Lakshmi Narayanan. As seen from the evidence available on record, V.S.Lakshmi Narayanan executed a Registered Will dated 13.06.2003, which has been marked as Ex.P1 and the said Will is registered as Doc.No.36 of 2003 in the office of the Sub Registrar, Villivakkam.

7. V.S.Lakshmi Narayanan, the Testator died on 04.01.2013 and his death certificate has been marked as Ex.P2. The Legal Heirship certificate dated 19.01.2015 has also been marked as Ex.P3, which confirms that the petitioner and the respondents are his only legal heirs. Paper publication was also effected with regard to the application seeking for Letters of



Ex.P5 before the Learned Master.

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8. This Court after giving due consideration to the pleadings as well as the evidence available on record, is of the considered view that petitioner is entitled for the issuance of Letters of Administration.

9. Accordingly, this petition is allowed. Issue Letters of Administration of the Will dated 13.06.2003 (Ex.P.1) in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is also directed to execute a security bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) in favour of the Assistant Registrar (O.S.II), High Court, Madras. The petitioner is further directed to render true and correct accounts once in a year.

Sd/.A.Q.J.
07.12.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./09.12.2021

COURT OFFICER(O.S.)

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