



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

FRIDAY, THE 06th DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

TOS.No.57 of 2016
(O.P.No.615 of 2015)

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

and

In the matter of certified of probate
granted in Sub-Court, Singapore along
with Certified Copy of the Last Will
and Testament of Ravana Mana
Vienna Rana Chidambaram Chettiar
also known as R.M.V.R.Chidambaram
Chettiar and also Ravana Mana
Vienna Rana China Thana
Chidambaram Chettiar and also
RM.VR.CT.Chidambaram Chettiar
and also as Vienna Rana China Thana
Chidambaram Chettiar and also VR
CT.Chidambaram Chettiar – deceased.

Mr.C.T.Nachiappan
S/o Late RM.VR.CT.Chidambaram Chettiar,
residing at No.32, Luz Avenue,
Mylapore, Chennai – 600 004.

... Plaintiff/Petitioner

-VS-

1.Mrs.M.Umayal Achi,
W/o Murugappa Chettiar,
residing at No.42, 1st Main Road,
R.A.Puram, Chennai – 600 028.

... Caveator/Defendant



***2.VR.Lakshmi,
W/o C.T.Veerappan,**

***3.VR.Nachiappan,
S/o C.T.Veerappan**

***4.VR.Periakaruppan,**

***5.VR.Vallikannu,
D/o C.T.Veerappan,
2 to 5 residing at
No.17, Benwells Road,
Cantonment, Trichy – 620 001.**

... Defendants

***Defendants 2 to 5 impleaded
as LR's of C.T.Veerappan
(R1 in O.P.615/2015), amended
as per order dt.14/7/2020 in
A.No.1113/2020, time extended
on 24/8/2020.**

Testamentary Original Suit praying that this Hon'ble Court be pleased to permit to prove the said Will in Common form and the Letters of Administrator with the said Regd.Will Dt.12/1/1982 in Doc.No.12/1982 in SRO, Karaikudi to the property and credits of the said deceased to have effect to the Union of India be granted to the Petitioner herein.

This Testamentary Original Suit coming on this day before this court for hearing in the presence of Mr.N.Deivasigamani, advocate for the plaintiff herein and Mr.M.Sriram, advocate for the defendants herein and upon reading the petition filed herein and the other exhibits therein referred

to and upon perusing the evidence adduced therein and, **it is ordered and**

**decreed as follows:-**

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That upon executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in favour of Assistant Registrar (O.S.II), High Court, Madras, the plaintiff herein, having complied with the rules of this court in this behalf letters of Administration of the property and credit of Ravana Mana Vienna Rana Chidambaram Chettiar also known as R.M.V.R.Chidambaram Chettiar and also Ravana Mana Vienna Rana China Thana Chidambaram Chettiar and also RM.VR.CT.Chidambaram Chettiar and also as Vienna Rana China Thana Chidambaram Chettiar and also VR.CT.Chidambaram Chettiar and also as Chidambaram Chettiar deceased annexed with the Will of the said deceased to have effect throughout the Union of India do issue herein out of and under the seal of this court and the same be granted to CT.Nachiappan, the plaintiff herein.

2. That there shall be no costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 06th DAY OF AUGUST 2021.

Sd/-

JOINT REGISTRAR (O.S)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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30.09.2021

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TOS.No.57 of 2016
(O.P.No.615 of 2015)

ORDER

DATED: 06.08.2021

THE HON'BLE MR.JUSTICE

R.SUBRAMANIAN

FOR APPROVAL: 30.09.2021

APPROVED ON: 30.09.2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TOS.No.57 of 2016

Mr.CT.Nachiappan
son of Late RM.VR.CT.Chidambaram Chettiar
No.32, Luz Avenue,
Mylapore, Chennai – 600004. ...Plaintiff

Vs.

1.Umayal Achi ...Caveator

2.VR.Lakshmi
3.VR.Nachiappan
4.VR.Periakarappan
5.VR.Vallikannu
(Defendants 2 to 5 impleaded as legal heirs of
C.T.Veerappan (R1 in OP.NO.615 of 2015,
amended as per order dated 14.07.2020 in
A.No.1113/2020, time extended on 24.08.2020) ...Defendants

Prayer: Petition for Letters of Administration filed under Section 228 & 276 of Indian Succession Act.XXXIX, 1925, seeking letters of administration for the Will dated 12.01.1982 in Document No.12/1982 in SRO, Karaikudi to the property and credits of the said deceased to have effect of the Union of India may be granted to the petitioner herein.

For Plaintiff : Mr.N.Deivasigamani

For Caveator : Mr.M.Sriram

ORDER

The sole caveator has withdrawn her opposition and has filed a consent affidavit, expressing her no objection for grant of letters of



administration with the Will annexed.

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2.It is seen from the records that the Court at Singapore has granted probate to the Will of late RM.VR.CT.Chidambaram Chettiar, who died on 20.03.1994 at Chennai. The said Will has been proved before the competent Court namely, The Sub-Court, Singapore. A copy of the grant has also been produced. Apart from the same, one B.Sivakumar son of T.Balagurusamy, power agent of the plaintiff has been examined as P.W.1. He has produced the death certificate and legal heirship certificate of Chidambaram Chettiar as well as the death certificate of C.T.Umayal Achi as Exs.P2 to P4. The certified copy of the Will with the order of probate issued by the Court at Singapore has been marked as Ex.P1. One Mr.CT.Muthuraaman has been examined as P.W.2. He has identified the signature of Chidambaram Chettiar, the Testator and one of the attestors.

3.In view of the said evidence, I am satisfied that the plaintiff has proved the Will and is entitled to letters of administration with the copy of the Will annexed. Accordingly, this petition is allowed. The letters of administration with the copy of the Will annexed is granted to the plaintiff.

The plaintiff shall execute a bond of Rs.25,000/-. No costs.



Mr.CT.Muthuraaman – PW2

S.No.	Description of Documents	Exhibit
1	The Certified true copy of the Will dated 12.01.1982 issued by the Sub-Ordinate Court, Singapore executed by Ravana Mana Vienna Rana Chidambaram Chettiar	Ex.P1
2	The computer generated death certificate of Mr.Chidambaram Chettiar, who died on 20.03.1994.	Ex.P2
3	The Original legal heirship certificate dated 12.10.1995 in respect of VR.Chidambaram Chettiar	Ex.P3
4	The photocopy of the death certificate of C.T.Umayal Achi, who died on 30.11.2000.	Ex.P4
5	The photocopy of the death certificate of AL.Valliammai Achi, who died on 08.12.2002.	Ex.P5
6	The original death certificate of Chidambaram Periakaruppan, who died on 14.02.2009.	Ex.P6
7	The original legal heirship certificate dated 24.06.2010 in respect of Chidambaram Periakaruppan.	Ex.P7
8	The photocopy of the death certificate of J.Lakshmi, who died on 04.01.2015.	Ex.P8
9	The photocopy of the sale deed dated 24.11.1974 in favour of RM.VR.CT.Chidambaram Chettiar, registered as Doc.No.2100 of 1974 at SRO, Mylapore (marked after comparing and verifying with the original)	Ex.P9
10	The photocopy of the Sale Deed dated 01.05.1937 registered as Doc.No.678 of 1937 at SRO, Karaikudi (marked after comparing and verifying with the original).	Ex.P10
11	The photocopy of the Sale Deed dated 01.05.1937 registered as Doc.No.679 of 1937 at SRO, Karaikudi (marked after comparing and verifying with the original).	Ex.P11
12	The photocopy of the Sale Deed dated 07.07.1937 registered as Doc.No.1009 of 1937 at SRO, Karaikudi (marked after comparing and verifying with the original).	Ex.P12
13	The photocopy of the Sale Deed dated 07.07.1937 registered as Doc.No.1014 of 1937 at SRO, Karaikudi (marked after comparing and verifying with the original).	Ex.P13



S.No.	Description of Documents	Exhibit
14	The certified copy of the grant of Probate.	Ex.P14
15	(Series 40 Nos) are the photocopies of the share certificates of Tube Investments of India Limited in the name of Mr.Chidhambaram Chettiar VR CT (Marked after comparing and verifying with the originals)	Ex.P15
16	The affidavit of assets showing the net value of the estate as Rs.36,20,000/-	Ex.P16
17	A copy of paper publication effected in one issue of English daily "News Today" dated 04.05.2016.	Ex.P17
18	A copy of paper publication effected in one issue of Tamil Daily "Maalai Sudar" dated 11.05.2016.	Ex.P18
19	Affidavit of Third party witness, CT.Muthuraaman	Ex.P19

List of witness examined on the side of the defendants:

Mr.VR.Periakarappan – D.W.1

List of documents filed on the side of the defendants:-

S.No.	Description of Documents	Exhibit
1	The notarized copy of the computer generated death certificate of C.T.Veerappan, who died on 08.06.2019	Ex.D1
2	The notarized copy of the computer generated legal heirship certificate of my father C.T.Veerappan dated 15.07.2019	Ex.D2

Sd./-R.S.M.J.
06.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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