



WEB COPY



O.P.No.537 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.537 of 2024

1.A.Kuttipillai
2.J.Ramesh ... Petitioners

PRAYER: Original Petition filed for Letters of Administration under Sections 232 and 276 of Indian Succession Act 1925 under Order XXV Rule 5 of Original Side Rules to grant Letters of Administration with regard to the Will annexed to the petitioners as the brother and nephew/beneficiaries under the Will of the said deceased having effect limited to the State of Tamil Nadu and pass such further other orders.

For Petitioners : Mr.V.Vargees Amal Raja

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 12.09.2014 executed by V.Kanniammal, who died on 12.09.2014. The first petitioner is the brother and the second petitioner is the nephew of the testatrix. The husband of the testatrix predeceased her. There were no issues out of their wedlock. The



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petitioners are the beneficiaries under the will. The testatrix has not appointed an executor under the Will. The petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The first petitioner has been examined as PW1. He has produced the death certificates of the Testatrix as Ex.P4. The original registered Will as Ex.P3. The photocopies of the Aadhar cards of the petitioners as Ex.P5. A perusal of Ex.P3 shows that the testatrix had bequeathed the property to her brother and nephew through her another brother, who are the petitioners herein. A perusal of Ex.P5, shows that the petitioners are the named beneficiaries under the registered Will. The paper publications were made and no objection was received from any person.

3. Mr.V.J.Sathish Kumar, who is the second attesting witness to the said Will has been examined as PW2. He has spoken about the execution of the Will by the testatrix and its attestation by him.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the



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petitioners are entitled to the relief.

WEB COPY 5. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioners, in respect of the Will dated 12.09.2014 of the testatrix Late.V.Kanniammal. The petitioners are 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 petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index :Yes/No

Speaking: Yes/ No



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Petitioner's witnesses:

P.W.1 - Mr.A.Kutti pillai

P.W.2 – Mr.V.J.Sathish Kumar

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed bearing Doc.No.988 of 1995 on the file of Sub-Registrar, Purasiwalkam, dated 27.03.1995.
Ex.P2	Photocopy of the sale deed bearing Doc.No.1017 of 1995 on the file of Sub-Registrar, Purasaiwalkam, dated 28.03.1995.
Ex.P3	Original Will executed by the deceased V.Kanniammal, dated 12.09.2014.
Ex.P4	Printout of the Death Certificate of deceased V.Kanniammal dated 26.04.2024. (Certificate u/s 63(4)(c) of BSA filed).
Ex.P5	Photocopies of the Aadhar cards of the petitioners. (Compared with original)
Ex.P6	Printout of the death certificate of deceased V.Jothilingam, dated 03.01.2024. (Certificate u/s 63(4) (c) of BSA filed).

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