

Original Petition No. 542 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

Original Petition No. 542 of 2022

E.Ramkumar

....Petitioner

Versus

1.M.Kamatchi

2.A.Ekantheeswaran

3.A.Ramasamy

4.A.Marimuthu

...Respondents

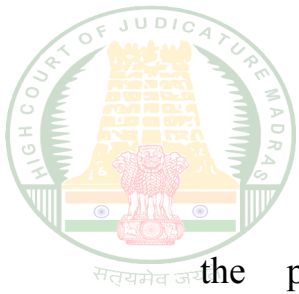
Prayer: Original Petition is filed under Section 232 and 276 of the Indian Succession Act XXXIX of 1925 under Order XXV, Rule 5 of the Original Side Rules, praying to grant Letters of Administration with WILL annexed of the petitioners and credit of deceased to the petitioner as Grandson/Legoter/Sole beneficiaries under the WILL of the said deceased to have effect limited to the State of Tamil Nadu.

For Petitioner : Mr.T.R.Kumaravel

For Respondents : No Appearance

ORDER

This petition has been filed under Section 232 and 276 of the Indian Succession Act, to grant Letters of Administration with WILL annexed of



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the petitioners and credit of deceased to the petitioner as Grandson/Legoter/Sole beneficiaries under the WILL of the said deceased to have effect limited to the State of Tamil Nadu.

2. After filing of this petition, this Court directed the petitioner to effect paper publication in any one of the issue of “Malai Malar” daily mentioning the hearing date on 29.04.2024 and the paper publication was also effected on 19.04.2024 and thereafter, no any objection from any party. Thereafter, the case was posted for recording evidence before the learned Master and the evidence also was recorded.

3. On the side of the petitioner, PW1-E.Ramkumar, and PW2-A.Ekantheeswaran, were examined and Exs.P1 to Exs.P8 were marked.

4. PW1 is the petitioner. PW2 is the attesting witness of the Will and PW2 has categorically deposed about the execution of the Will and attestation. Therefore, the execution of the Will and attestation are duly proved in accordance with law. There is no any rival claim against the Will. The available evidences amply proved the execution and attestation of the Will. Therefore, the petitioner has proved the Will in the manner



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known to law and the petitioner is entitled to the relief as prayed for in the Original Petition.

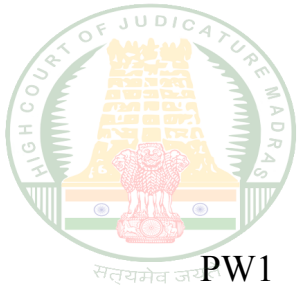
5. Therefore, this Original Petition is allowed and the Letters of Administration in respect of the Will and Testament dated 06.02.2008 executed by A.Pechiammal, (deceased) in favour of the petitioner viz., E.Ramkumar, is granted.

6. Issue Letters of Administration in favour of the petitioner herein. 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.

04.09.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
MSM

List of Petitioner side Witnesses:



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PW1 : E.Ramkumar

PW2 : A.Ekantheeswaran

List of Petitioner side Documents:

- Ex.P1: 06.02.2008 Xerox copy of Will executed by A.Pechiammal in favour of the petitioner herein.
- Ex.P2: 11.05.2017 Death Certificate of A.Pechiammal
- Ex.P3: 25.09.2021 Legal Heir Certificate of A.Pechiammal
- Ex.P4: --- Certificate under Section 65-B of the Indian Evidence Act, 1872 given by the petitioner
- Ex.P5: 07.11.2005 Certified copy of Partition Deed
- Ex.P6: 31.01.2022 Affidavit of E.Ramkumar in respect of the details of assets.
- Ex.P7: 31.01.2022 Affidavit of A.Ekantheeswaran (PW2)
- Ex.P8: 03.06.1962 Aadhar Card issued by the Government of India



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P. DHANABAL, J.,

MSM

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