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O.P.No.11 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.07.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.11 of 2024

S.Kasi

...Petitioner

VS.

1.Ramani Ammal
2.J.Latha
3.S.Suresh Babu
4.R.Gunasundari
5.R.Narendran
6.S.Kavya, minor,
represented by
Mother and natural guardian
R.Gunasundari, the 4th respondent

...Respondents

PRAYER: Original Petition filed under Sections 232 and 276 of the Indian Succession Act for grant of letters of Administration read with Order XXV Rule 5 of Original Side Rules, praying to grant Letters of Administration with Certified Copy of the Will Annexed of the properties and credits of late N.Sree Ramalu to the petitioner as son/beneficiary under the will of deceased to have effect limited to the state of Tamil Nadu.

For Petitioner : Mr.V.Kannan

For Respondents : No appearance



ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 13.03.2001 executed by Late.N.Sree Ramulu, who died on 16.02.2009. The petitioner and the respondents are the legal heirs of the testator.

2. The petitioner submits that the testator had gotten married to the 1st respondent and out of their wedlock the couple had begotten the petitioner, respondents 2 and 3 along with one Late Mr.Ramesh as their children. The respondents 4 to 6 are the legal heirs of Late Mr.Ramesh, who is the deceased son of the testator. The petitioner submits that the testator was the absolute owner of the immovable properties mentioned in the schedule of the petition. The testator had appointed the 2nd respondent as the executor of the Will but the executor did not take any step to execute the will so the petitioner had filed his original petition, of which the petitioner and respondents 3 to 6 are the beneficiaries as indicated therein.

3. The petitioner has examined himself as PW1 and he had produced 7 documents to support his deposition which are listed as Ex.P1 to Ex.P7 at the foot of the order. The certified copy of Will dated 13.03.2001 executed by the testator has been marked as Ex.P4. As the evidence to the title held by the



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testator towards the immovable properties the petitioner has marked the following documents, the photocopy of the Partition Deed dated 19.06.1954 has been marked as Ex.P1, the photocopy of the Sale Deed dated 24.11.1965 had been marked as Ex.P2 and the photocopy of the Sale Certificate issued by the City Civil Court in favour of testator has been marked as Ex.P3. The computer generated copies of the death certificate of Late N.Sree Ramalu and his son S.Ramesh has been marked as Ex.P5 and Ex.P6 respectively. The photocopy of the legal heirship certificate of the testator has been marked as Ex.P7. The perusal of Ex.P4 would substantiates the claim made in the petition that the petitioner, 3rd respondent and the respondents 4 to 6 are beneficiaries named in the will. The general paper publications had been effected and no objections have been received for the same.

4. The petitioner has examined Mr.D.Perumal, who is the first attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him along with the other attesting witness Mr.Balaraman and has marked the photocopy of his aadhar card as Ex.P9.

5. The respondents 1 to 3 have expressed their consent to grant the



Letters of Administration in favour of the petitioner through their consent affidavits which have been filed along with the petition. The service of notices upon the respondents 4 to 6 had been completed and inspite of which they have chosen to keep themselves away from the proceedings.

6. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief

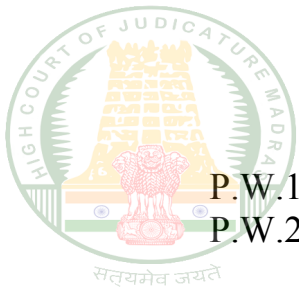
7. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioner, in respect of the Will dated 13.03.2001 of the testator late.N.Sree Ramalu. The petitioner is directed to execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) in the name of the Assistant Registrar (Original Side) of this Court. The petitioner is 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

Petitioner's witness:



P.W.1 – S.Kasi
P.W.2- D.Perumal

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Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	The photocopy of the partition deed between Late N.Sree Ramalu and his brother dated 19.06.1954.
Ex.P2	The photocopy of the sale deed executed by Kareemunnissa in favour of Late N.Sree Ramalu dated 24.11.1965.
Ex.P3	The photocopy of the sale certificate issued by City Civil Court, Chennai in favour of Late N.Sree Ramalu dated 21.09.1971.
Ex.P4	The certified copy of the Will executed by Late N.Sree Ramalu dated 13.03.2001.
Ex.P5	Computer generated copy of the death certificate of Late N.Sree Ramalu died on 16.02.2009.
Ex.P6	Computer generated copy of the death certificate of S.Ramesh died on 02.02.2011.
Ex.P7	Photocopy of the legal heirship certificate of N.Sree Ramalu dated 19.05.2011.
Ex.P8	Photocopy of the Aadhar card of the 1st attesting witness

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K.KUMARESH BABU, J.

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