



WEB COPY

O.P.No.632 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.04.2025**

CORAM

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

O.P.No.632 of 2024

Mr.A.S.Sridharan

...Petitioner

VS.

1.Mrs.V.Ruckmani
2.Mr.A.S.Dhananjay
3.Master A.S.Dharshan (Minor)
Represented by mother and Natural
Guardian Mrs.Deepa Wife of
Mr.A.S.Sridharan
18/2, A2 Jai Sakthi Subramania Nagar
First Street, Kodambakkam
Chennai – 600 024.

...Respondents

PRAYER: Original Petition filed for Letters of Administration to the Will of Late A.V.Subramanian under Section 232 and 276 of the Indian Succession Act (XXX) 1925 read with Order XXV Rule 5 of the Madras High Court Original Side Rules, prays that Letters of Administration with the will annexed may be granted to him as one of the beneficiaries under the Will of deceased having effect throughout the State of Tamil Nadu.

For Petitioner : Mr.J.Balachander
For Respondent : No appearance
(For R1 to R3)

**ORDER**

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This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 10.06.2002 executed by late.Mr.A.V.Subramanian, who died on 30.11.2007. The petitioner is the son of the nephew of the testator Late.A.V.Subramanian, the 1st respondent is the wife of Late.Mr.A.V.Sundaresan who is the brother of the testator and the 2nd and 3rd respondents are the children of the petitioner. The petitioner submits that the testator died as the bachelor without any immediate legal heirs as the parents of the testator have predeceased him. The testator executed a will dated 10.06.2002 where he had bequeathed the immovable property mentioned in the schedule infavour of the petitioner and his children, 1st respondent and Late.Mr.A.V.Venkataraman. One of the beneficiary Late.Mr.A.V.Venkataraman died on 21.10.2022. The movable property mentioned in the schedule was bequeathed upon Late.Mrs.E.S.SeethaLakshmi the wife of Late.Mr.A.V.Venkatadri, the said Late.Mrs.E.S.SeethaLakshmi died on 30.01.2009 leaving behind her daughter-in-law the 1st respondent as her only legal heir. The petitioner and the respondents are the only beneficiaries under the said will. The petitioners seek issuance of Letters of Administration in respect of the properties



situated within the jurisdiction of this court.

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2. The first petitioner has examined himself as PW1. He has produced the original will and testament dated 10.06.2002 as Ex.P2. The computer generated death certificates of the Testator, Late.Mr.A.V.Venkataraman, Late.Mrs.E.S.Seethalakshmi are marked as Ex.P4, Ex.P5 and Ex.P6. The photocopy of the sale deed dated 09.12.1957 is marked as Ex.P1. From the Ex.P2 it can be deduced that the petitioner and the respondents are the beneficiaries named under the will and are related to the testator as explicitly mentioned by him in will. The service of notices was completed upon the respondents 1 to 3 and the counsel for the respondent had filed the consent affidavits of the respondents 1 to 3 expressing the consent to grant the letters of administration in favour of the petitioner. The general paper publication has been made and no objections has been received.

3. The petitioner has chief examined Mr.V.Srinivasan, 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 and the second attestator.

4. 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.

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5. 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 10.06.2002, of the testator late.Mr.A.V.Subramanian. 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 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

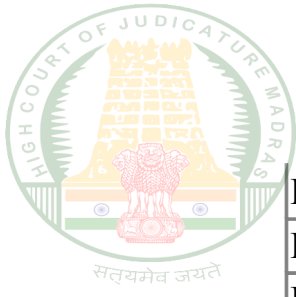
Petitioner's witness:

P.W.1 – Mr.A.S.Sridharan

P.W.2 – Mr.V.Srinivasan

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Photocopy of the Sale deed of Testator dated 09.12.1957.



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Ex.P2	Original Will executed by the Testator dated 10.06.2002.
Ex.P3	Original Fixed Deposit Receipt dated 02.08.2022.
Ex.P4	Online copy of the Death certificate of A.V.Subramanian dated 06.08.2009.
Ex.P5	Online copy of the Death certificate of A.V.Venkataraman dated 12.11.2022.
Ex.P6	Online copy of the Death certificate of E.S.Seethalakshmi dated 06.08.2009.
Ex.P7	Online copy of the Death certificate of A.V.Venkatadri dated 06.08.2009.

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K.KUMARESH BABU, J.

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