



O.P. No.171 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.171 of 2025

1. Dr.Krishnaswamy Ravi-Chandar

2. S.Murali

... Petitioners

Vs

1. M.S.Raman

2. M.S.Suguna

... Respondents

PRAYER: Original Petition is filed under Sections 232 and 276 of the Indian Succession Act, 39 of 1925 read with Order XXV Rule 5 of the Original Side Rules praying to grant letters of Administration to the Will annexed with the petition, as nephews / beneficiaries of the deceased having effect limited to the State of Tamil Nadu.

For Petitioners	:	Mr.T.Ravichandran
For Respondents	:	Ms.B.Santhiya

ORDER

This petition has been filed under Sections 232 and 276 of the Indian Succession Act to grant Letters of Administration to the



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petitioners to the estates and credits of the deceased having effect limited to the State of Tamil Nadu.

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2. After filing of this petition, this Court directed the petitioners to effect paper publication in any one of the issue of Tamil Daily and also in English daily and the paper publication was also effected and there is no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence was also recorded. On the side of the petitioners, PW1 and PW2 were examined and Ex.P.1 to Ex.P.13 were marked.

3. According to the petitioners, one Mrs.Sakunthala Parthasarathy during her lifetime executed a Will dated 12.02.2023, which is her last Will and Testament and bequeathed the residential apartment ground floor (A1) having plinth area of 562.531 sq.ft., with common area of 79.43 sq.ft., totalling to 641.960 sq.ft., in the 2nd main road, Raja Annamalaipuram, in favour of the 1st petitioner herein, who is none other than the son of Late Dr.Sundaravaradachari Krishnaswamy, being the only brother of Late Sakundhala Parthasarathy. Further, the said Late Sakunthala Parthasarathy has

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also bequeathed all the money in her various bank accounts to the 2nd

petitioner herein, who is the son of her eldest sister Late.S.Jeyalakshmi. The said Sakunthala Parthasarathy died on 21.02.2023 at the age of 87 years without any issues and her husband pre-deceased her on 12.11.1994. Further, no executor was appointed under the Will. The petitioners and the respondents are the only surviving legal heirs and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.1,15,00,000/-. There are no other next of kin to the deceased except the petitioners and the respondents.

4. Mr.T.M.S.Sampath, Power Agent of the 1st petitioner was examined on behalf of petitioners. He has deposed that he is the power agent of 1st petitioner and reiterated the petition averments. PW2 is one of the attesting witnesses in the Will. She has deposed that the testatrix had executed a Will dated 12.02.2023 and she was also present along with the testatrix at the time of execution of Will. She has also identified the signatures of the attestors and testatrix in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.13 revealed that the petitioners and the respondents are the legal

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heirs of the deceased and no any objection has been raised either by the respondents or any other party to grant letter of administration to the petitioners. Further, the respondents, who are brother and sister of the testatrix's husband respectively have filed their consent affidavits to grant Letters of Administration to the petitioners. Therefore, the petitioners, through the evidences and documents, has amply proved the execution of Will and the petitioners are entitled to the relief as prayed for in the petition.

5. Therefore, this Original Petition is **allowed** and Letter of Administration, to the estates and credits of the deceased Mrs. Sakunthala Parthasarathy in favour of the petitioners, is granted.

6. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners are also directed to execute a **security bond** for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** in favour of the **Assistant**

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Registrar (O.S.II), High Court, Madras. The petitioners are further directed to render true and correct accounts once in a year.

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Index : Yes/No
Speaking Order : Yes/No
ssd

APPENDIX:

List of Petitioners side Witnesses:

PW1 : Mr. T.M.S.Sampath
PW2 : Mrs.Pushpam Sampath

List of Petitioners side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	12.02.2023	Original Will executed by Mrs.Sakunthala Parthasarathy
Ex.P.2	-	Computer generated death certificate of Mrs.Sakunthala
Ex.P.3	-	Computer generated death certificate of Mr.Parthasarathy
Ex.P.4.	04.06.1982	Certified copy of partition deed dated 04.06.1982
Ex.P.5	-	Certified copy of rectification deed dated 25.06.1982.
Ex.P.6	-	Photocopy of the family card of Mrs.Sakunthala Parthasarathy
Ex.P.7	5.11.2023	Downloaded copy of water tax and charges receipt standing in the name of Mrs.Sakunthala Parthasarathy



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Ex.P.8	29.10.2023	Downloaded copy of property tax receipt standing in the name of Mrs.Sakunthala Parthasarathy
Ex.P.9	28.10.2023	Original Power of Attorney executed by Dr.Krishnaswamy Ravichandran in favour of Mr.T.M.S.Sampath.
Ex.P.10	-	Affidavit of assets showing the net value of estate as Rs.1,14,80,000/-
Ex.P.11	-	Affidavit under Section 63(4) of BSA
Ex.P.12	07.10.2025 & 14.10.2025	(Series 2 Nos) are the copies of the paper publication effected in one issue of Tamil Daily 'Makkal Kural' and English daily 'Trinity mirror'
Ex.P.13	-	Photocopy of Aadhar card of P.W.2

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ssd

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