



O.P.No.574 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.574 of 2024

Dr.T.Rajasekaran,

...Petitioner

Vs

1. Mrs.T.Bootlakshmi,
2. Mr.T.Sanjeev Kumar,
3. Mr.T.Shanmuga Sundaram,
4. Mr.T.Gunaseelan,
5. Mrs.T.Indira Devi,
6. Mrs.V.Vijayarani,
7. Ms.V.Rajalakshmi,
8. Mr.V.Balachandar,
9. Mrs.V.Soundariya,

...Respondents

PRAYER : Original Petition is filed under Section 232 and 276 of the Indian Succession Act and Order XXV Rule 5 of the Original Side Rules praying to prove the Will dated 21.06.2000 and registered as Doc.No.19/2000 in the office of Bargur Sub-Registrar Office, Krishnagiri District in common form, and that the Letter of Administration thereof, to have effect throughout the whole state of Tamil Nadu may be granted to him.



O.P.No.574 of 2024

For Petitioner : Mr.V.Manisekaran
For Respondents : No appearance

ORDER

This Original Petition has been filed by the petitioner under Section 232 and 276 of the Indian Succession Act and Order XXV Rule 5 of the Original Side Rules to grant Letters of Administration in respect of the Will dated 21.06.2000, executed by the Testator, namely, Mr.B.S.Thimmichetty, in favour of the petitioner and having effect limited to the State of Tamil Nadu.

2. After the filing of this petition, this Court directed the petitioner to effect paper publication in any one of the issues of the Tamil daily and also in the 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 to PW2 were examined and Exs.P1 to P12 were marked.



O.P.No.574 of 2024

3(a). According to the petitioner, the Testator, namely

Mr.B.S.Thimmichetty, got married with the first respondent, Mrs.T.Boolakshmi and out of their wedlock, six children were born to them namely, 1.Mr.T.Sanjeev Kumar, 2.Mr.T.Vijayaraghavan, 3.Mr.T.Shanmuga Sundaram, 4. Dr.T.Rajasekaran, 5.Mr.T.Gunaseelan and 6.Mrs.T.Indra Devi.

(b). The second son of the Testator, namely Mr.T.Vijayaraghavan, died on 26.01.2005, leaving behind the respondents 6 to 9 as his legal heirs. The petitioner is one of the sons of the deceased Testator, namely Mr.B.S.Thimmichetty. Already the petitioner and the respondents 1 to 5, along with their father Mr.B.S.Thimmichetty, had divided the Schedule property through a Partition Deed dated 26.03.1994. In that partition, the Scheduled property was allotted to the said Mr.B.S.Thimmichetty. During the lifetime of the Testator, Mr.B.S.Thimmichetty, he executed a Will dated 21.06.2000, bequeathing the property in favour of the petitioner. Therefore, the petitioner filed this Original Petition.

Page No.3 of 8



O.P.No.574 of 2024

4. In order to prove the case of the petitioner, he examined P.W.1 and P.W.2 and marked twelve documents as Exs.P1 to P12.

5. P.W.2 is the attesting witness of the Will dated 21.06.2000 and he deposed about the execution and attestation of the Will dated 21.06.2000. Ex.P1 is the registered Will dated 21.06.2000, executed by the Testator, namely Mr.B.S.Thimmichetty, in favour of the petitioner.

6. On perusal of the evidence of P.W.1 and P.W.2 and Exs.P1 to Ex.P12, they revealed that the deceased Testator, Mr.B.S.Thimmichetty is the owner of the property and he executed the Will dated 21.06.2000 and thereafter, the said Testator of the Will died on 17.09.2022. The said Will was executed in the presence of the two attesting witnesses and the attesting witnesses also deposed about the execution and attestation of the Will dated 21.06.2000. Therefore, the petitioner has amply proved the Will dated 21.06.2000. The respondents have not objected and they also filed the



O.P.No.574 of 2024

consent affidavits. Therefore, the petitioner is entitled to the relief as prayed for in this petition.

7. Therefore, this Original Petition is *allowed* and Letters of Administration in respect of the Will dated 21.06.2000 executed by Mr.B.S.Thimmichetty S/o.Mr.B.K.Sanjeevi Chetty, in favour of the petitioner is granted.

8. Issue Letters of Administration in favour of the petitioner. 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 a year.

10.11.2025

Index : Yes/No

Speaking Order : Yes/No

dk

Page No.5 of 8



O.P.No.574 of 2024

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Dr.T.Rajasekaran
PW2 : Mr.R.Ramalingam

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	21.06.2000	Original Will executed by Mr.B.S.Thimmichetty in favour of the petitioner.
Ex.P.2	26.03.1994	Certified copy of Partion Deed.
Ex.P.3	17.09.2022	Computer generated copy of the Death Certificate of Mr.B.S.Thimmichetty.
Ex.P.4.	12.05.2023	Computer generated copy of the Legal Heir Certificate of Mr.B.S.Thimmichetty.
Ex.P.5	05.01.2024	Online print out of Encumbrance Certificate in respect of scheduled property.
Ex.P.6	-----	Photocopy of Aadhaar Card of Mr.B.S.Thimmichetty.
Ex.P.7	-----	Photocopy of Aadhaar Card of Dr.T.Rajasekaran/P.W.1.
Ex.P.8	04.10.2025	Paper Publication effected in Tamil daily "Makkal Kural"
Ex.P.9	11.10.2025	Paper Publication effected in English daily "Trinity Mirror"



O.P.No.574 of 2024

Ex.P.10.	-----	The Affidavit of Assets showing the net value of the estate as Rs.1,50,00,000/-.
Ex.P.11	-----	Certificate filed by Dr.T.Rajasekaran/P.W.1 under Section 63(4)(c) of BSA of 2023.
Ex.P12	-----	Photocopy of Aadhaar Card of Mr.R.Ramalingam.

10.11.2025



WEB COPY



O.P.No.574 of 2024
P.DHANABAL,J.
dk

O.P. No.574 of 2024

10.11.2025