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O.P.No.655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.08.2025**

CORAM

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

O.P.No.655 of 2024

V.Kamalaveni

...Petitioner

Vs.

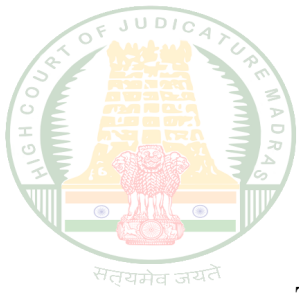
T.Rukmani

... Respondent

PRAYER: Original Petition filed under Sections 232 and 276 of Indian Succession Act XXXIX of 1925 read with Order XXV Rule 5 of the Original Side Rules of High Court of Madras praying to grant letters of Administration with the Will annexed of the properties and credits of deceased may be granted to the petitioner as sister-i-law's daughter/beneficiary under the Will of the deceased have effect throughout the State of Tamil Nadu.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.V.Regunathan



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ORDER

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This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 29.11.2021 executed by Mrs.R.Gnanam, who died on 03.08.2022. The petitioner is the daughter of the sister-in-law of the testatrix, whereas the sole respondent is the sister of the testatrix's husband.

2. The petitioner submits that the testatrix was married to one Mr.D.Rajamanickam who predeceased the testatrix on 08.05.2022, the couple did not have any issues out of their wedlock. The petitioner further submits that, under Sale Deed dated 10.04.1992 registered as Document No.1358 of 1992 in the SRO of Virugambakkam and Deed of Settlement dated 07.10.1992 registered as Document No.3407 of 1992 in the SRO o Virugambakkam, the testatrix became the absolute owner of the immovable properties morefully described as Item I and Item II in the Schedule of the Contends Petition respectively. The petitioner further contends that the testatrix prior to her demise had executed a Will on 29.11.2021 which is registered as Document No.267 of 2021 in the SRO of Salem (East). By the virtue of the aforesaid Will dated 29.11.2021, the testatrix had bequeathed immovable properties in favour the petitioner. The petitioner is the only beneficiary named under the said will executed by the testatrix and no executor had been appointed under the said Will. Therefore as the beneficiary of



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the Will dated 29.11.2021, executed by the testatrix, the petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

3. The petitioner has examined herself as PW1. She has produced 6 Documents to support her deposition which are listed as Ex.P1 to Ex.P6 at the foot of the order. The original Will dated 29.11.2001 executed by the testatrix has been marked as Ex.P1. The photocopy of the death certificate of the testatrix has been marked as Ex.P2. The photocopy of photocopy of the death certificate and legal heirship certificate of the Late.Mr.D.Rajamanickam, the husband of the testatrix has been marked as Ex.P3 and Ex.P4 respectively. As the evidence to the title held by the testatrix towards the immovable properties, the certified copy of the Sale Deed dated 10.04.1992, executed in favour of the testatrix has been marked as Ex.P5 and similarly a certified copy of the Settlement Deed dated 07.10.1992, executed in favour of the testatrix has been marked as Ex.P6. The perusal of Ex.P1 clearly substantiates the averments made in the petition and unequivocally proves that the petitioner is the sole beneficiary named in the Will dated 29.11.2021, executed by the testatrix. The general paper publications have been effected and no objection has been received for the same.

4. The petitioner has examined one Mr.S.Samariith, who is the second



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attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testatrix and its attestation by him along and has identified his signature in the Ex. Pl. which is Will dated 29.11.2021 executed by the testatrix.

5. The service of notice upon the sole respondent has been completed. The learned counsel for the respondent appearing on behalf of her, had, expressed no objection to grant the Letters of Administration in favour of the petitioner with respect to the Will dated 29.11.2021.

6. Considering the averments made in the petition and the depositions of the petitioner supported by both oral and documentary evidences along with the no objection expressed by the respondent counsel, this court finds the petitioner entitled to the relief sought.

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 29.11.2021 of the testatrix Late.Mrs.R.Gnanam. 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

Petitioners' witness:

P.W.1 – Mrs.V.Kamalaveni

P.W.2 – Mr.S.Samarjith

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original Will executed by R.Gnanam dated 29.11.2021.
Ex.P2	Photocopy of the Death Certificate of R.Gnanam dated 11.08.2022.
Ex.P3	Photocopy of the Death Certificate of D.Rajamanickam dated 10.05.2022.
Ex.P4	Photocopy of the Legal Heirship of D.Rajamanickam dated 31.05.2022.
Ex.P5	Certified copy of the Sale Deed in favour of Testator R.Gnanam in Doc.No.1358 of 1992 dated 10.04.1992. (Compared with original).
Ex.P6	Certified copy of the Settlement Deed in favour of Testator R.Gnanam in Doc.No.3407 of 1992 dated 07.10.1992. (Compared with original).
Ex.P7	The photocopy of the Aadhaar Card of PW2.



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K.KUMARESH BABU, J.

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