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O.P.No.717 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.717 of 2024

1.K.Venkatadri

2.K.Sapharishi

3.K.Sivaprakash

...Petitioners

vs.

1.Amritha Kumari

2.Anjana Kumari

3.Nappinaperatti Krishnamurthy

4.K.Ganesh Babu

5.K.Sairam Seshadri

...Respondents

PRAYER: Original Petition filed under Section 232 and 276 of the Indian Succession Act, XXXIX of 1925 and Order XXV, Rule 5 of the Original Side Rules, 1956 praying to grant Letters of Administration with the Will annexed to the petitioners as sons/ beneficiaries under the Will of deceased to have effect limited to the State of Tamil Nadu.

For Petitioner : Mr.S.Anand Venkatesh

For Respondents : No appearance

ORDER

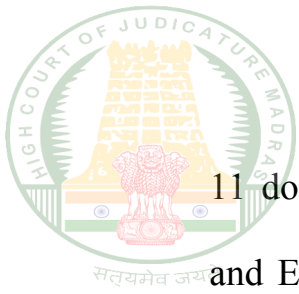


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This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 16.09.2002 executed by Mr.K.Krishnamurthy, who died on 20.09.2006. The petitioners 1 to 3 and the respondents 1 to 5 are the legal heirs of the testator.

2. The petitioners submit that the petitioners 1 to 3 and the respondents 1 to 5 are the children and the legal heirs of the testator, as Late.Mrs.Sarijini Devi, their mother and the wife of testator had already predeceased the him on 07.05.2000. The petitioners assert that prior to his demise the testator had executed a Will dated 16.09.2002, registered as Document No.126/2002 in the SRO of Kodambakkam, through which he had bequeathed the immovable property morefully described in the Schedule of the Will, in equal proportions in favour of his three sons, the petitioners 1 to 3 herein. The petitioners also submit that the testator is the absolute owner of the aforesaid immovable property by the virtue of the Partition Deed dated 20.03.1987 registered as Document No.1331 of 1987 in SRO of Kodambakkam. The petitioners 1 to 3 contend that they are the only beneficiaries named under the said will. Therefore petitioners seek issuance of Letters of Administration in respect of the property situated within the jurisdiction of this court.

3. The first petitioner has examined himself as PW1, he had produced



11 documents to support his deposition which are listed as Ex.P1 to Ex.P6 and Ex.C1 to Ex.C5 at the foot of the order. He had produced the Original Registered Will dated 16.09.2002 executed by the testator as Ex.P4. The online copy of the death certificate and the legal heirship certificate of the testator has been marked as Ex.P5 and Ex.P6 respectively. The perusal of the Ex.P6 proves that the petitioners and the respondents are the legal heirs of the testator. From the perusal Ex.P4, it can be substantiated that the petitioners 1 to 3 are the sole beneficiaries named in the Will executed by the testator. The general paper publications have been effected and no objections had been received for the same.

4. The petitioner has examined Mr.K.Sairam Seshadri, who is the 5th respondent herein and one of the attesting witness to the said Will as PW2. He has spoken about the execution of the Will by his father, the testator herein and its attestation by him along with one Mr.Murugappan, the other attesting witness to the Will. He had further identified the signatures of both the testator and himself in the original Will marked as Ex.P4.

5. The service upon the respondents 1 to 5 has been completed. The respective consent affidavits of the respondents 1 to 5, expressing their



consent to grant the letters of administration in favour of the petitioners have been filed, which are marked as Ex.C1 to Ex.C5.

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6. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners 1 to 3 are 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 petitioners, in respect of the Will dated 16.09.2002 of the testator Late.Mr.K.Krishnamurthy. The petitioners are 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.

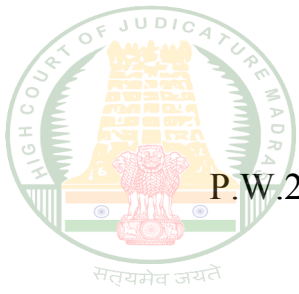
19.08.2025

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Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Venkatadri



P.W.2 – Mr.K.Sairam Seshadri

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Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Photocopy of the Aadhar Card of the 1 st petitioner Venkataadri.
Ex.P2	Photocopy of the partition deed in favour of the testator, dated 20.03.1987.
Ex.P3	Online copy of the death certificate of Mrs.Sarijini Devi wife of the testator dated 12.09.2022.
Ex.P4	Original last registered Will of the testator K.Krishnamurthy in favour of the petitioners, dated 16.09.2002.
Ex.P5	Online copy of the death certificate of the testator K.Krishnamurthy dated 11.02.2020.
Ex.P6	Online copy of the legal heir certificate of late K.Krishnamurthy dated 16.09.2022.
Ex.C1	Consent affidavit of the 1 st respondent Amritha Kumari.
Ex.C2	Consent affidavit of the 2 nd respective Anjana Kumari
Ex.C3	Consent affidavit of the 3 rd respondent Nappinarperatti Krishnamurthy.
Ex.C4	Consent affidavit of the 4 th respondent K.Ganesh Babu.
Ex.C5	Consent affidavit of the 5 th respondent K.Sairam Seshadri.

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K.KUMARESH BABU, J.

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