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O.P. No.430 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM :

**THE HONOURABLE MR.JUSTICE P.DHANABAL**

**O.P. No.430 of 2024**

Narendranath Mepur Ravindranath

... Petitioner

vs

1. H. Ravindranath S/o. Hanumantha Rao

2. M.H. Kalavathy D/o. Hanumantha Rao

3. M.H. Mallika D/o. Hanumatha Rao

.. Respondents

**PRAYER:** Original Petition is filed under Section 232 and 276 of the Indian Succession Act of 1925 read with Order XXV Rule 5 of the Original Side Rules praying to grant letters of Administration with the Will annexed, to the petitioner as the son of the brother of the deceased / beneficiary under the Will of the said deceased M.H. Subhashini having effect through out the State of Tamil Nadu.

For Petitioners : Ms. A. Jagadeeswari

For Respondents:

For R1 : Mr. K. Gangadaran

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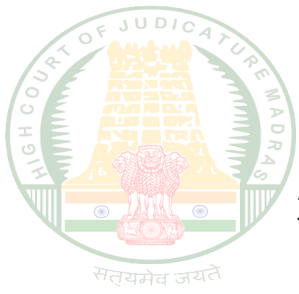
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For R2 : No appearance  
For R3 : Ms. S. Surekho

### **ORDER**

This petition has been filed under Section 232 and 276 of the Indian Succession Act to grant Letters of Administration with the Will, annexed to the petition, as the son of the brother of the deceased / beneficiary under the Will of the said deceased having effect through out the State of Tamil Nadu.

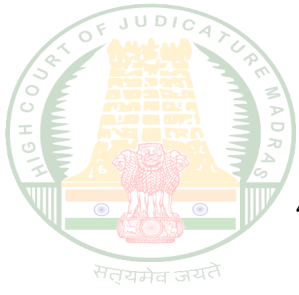
2. After filing of this petition, this Court directed the petitioner to effect paper publication in any one of the issue of Tamil Daily and also in English daily and the paper publication was also effected and thereafter no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence also was recorded. On the side of the petitioner, PW1 and PW2 were examined and Ex.P.1 to Ex.P.4 were marked and Ex.C.1 to Ex.C.4 were also marked.



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3. PW1 is the petitioner herein. PW1 has deposed that he is the son of

the brother of deceased M. H. Subhashini and her husband T.S. Balachandran is predeceased to her. The deceased has no issues. Her parents are also predeceased. The respondents herein are the brother and sisters of the deceased. The deceased M. H. Subashini died on 29.11.2022 and she executed one Will on 19.11.2022 in favour of the petitioner herein and another Will in favour of Mr. Keerthi Ganesh, Son of her sister Mallika for two different properties, when she was admitted in the hospital. The Will dated 19.11.2022 is an unregistered Will. PW2 is the attesting witness of the Will and PW2 has categorically deposed about the execution of the Will and attestation. Therefore, the execution of the Will and attestation are duly proved in accordance with law. There is no any rival claim against the Will. The available evidences amply proved the execution and attestation of the Will. Therefore, the petitioner has proved the Will in the manner known to law and he is entitled to the relief as prayed for in the petition.



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4. In view of the above, this Original Petition is **allowed** and Letter of

Administration, in respect of the Will and Testament dated 19.11.2022 executed by M.H. Subhashini (deceased) in favour of the petitioner, is granted.

5. 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 in a year.

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Index : Yes/No

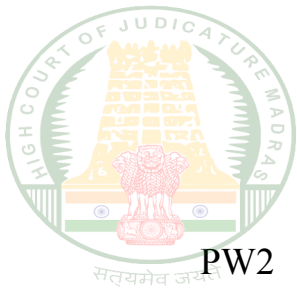
Speaking Order : Yes/No

mjs

**List of Petitioner side Witnesses:**

PW1 : Mr. Narendranath Mepur Ravindranath

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PW2

: Mr. Dhayamanoharan

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**List of Petitioner side Documents:**

| <b>Exhibit No.</b> | <b>Date</b> | <b>Description of Documents.</b>                                              |
|--------------------|-------------|-------------------------------------------------------------------------------|
| Ex.P.1.            | 19.11.2022  | Original Will executed by Mrs. M.H. Subashini.                                |
| Ex.P.2             | 26.05.2023  | Xerox copy of Death Certificate of Mrs. M.H. Subashini.                       |
| Ex.P.3             | 13.02.2012  | Xerox copy of Sale Deed in Doc. No.739/2013 in favour of Mrs. M.H. Subashini. |
| Ex.P.4.            | -           | Photocopy of the Aadhar Card of the deceased Mrs. M.H. Subashini.             |

**List of Court Documents:**

| <b>Exhibit No.</b> | <b>Date</b> | <b>Description of Documents.</b>                                           |
|--------------------|-------------|----------------------------------------------------------------------------|
| Ex.C.1.            | 13.01.2025  | One issue of paper publication effected in English Daily "Trinity Mirror". |
| Ex.C.2             | 06.01.2025  | One issue of paper publication effected in Tamil Daily "Makkal Kural".     |
| Ex.C.3             | 27.10.2024  | Consent affidavit of the 3rd respondent.                                   |
| Ex.C.4.            |             | Affidavit of PW2.                                                          |



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**P.DHANABAL.,J**

**mjs**

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