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O.P.No.49 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.07.2025**

CORAM

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

O.P.No.49 of 2024

1.Adithya

2.Aakash Sudersan

...Petitioners

VS.

1.R.Kalaivanan

2.Bhuvaneswari

3.Selvi

...Respondents

PRAYER: Original Petition filed under Section 232 and 276 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the Original Side Rules, praying to grant Letters of Administration with the Will annexed to the petitioners as the grandsons/Universal Legatees under the Will of Late Mr.T.N.Rangarajan, having effect throughout the State of Tamil Nadu.

For Petitioners : Mr.B.Prashanth Nadaraj

For Respondents : Mr.G.Anbumani (For R1)
Mr.J.Abdul Kareem (For R2 & R3)

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 28.04.2003 executed by Late Mr.T.N.Rangarajan, who died on 21.01.2021. The petitioners 1 and 2 are the grandsons of the testator through the 3rd respondent, who is the daughter of



the testator.

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2. The petitioners submit that the testator was married to the 2nd respondent and had begotten the 1st and 3rd respondents as his only children out of the wedlock. The petitioners state that the testator had purchased a vacant land *vide* a Sale Deed dated 02.03.1992 executed in favour of the testator upon which the property mentioned in the schedule of the petition is built. The petitioners further submit that before his death the testator had executed a Will dated 28.04.2003 registered as Document No. 23 of 2003 in SRO, Konnur, in which the testator had given the life interest of the immovable property mentioned in the schedule of the petition in favour of the 2nd and 3rd respondent and had absolutely bequeathed the same in favour of the petitioners 1 and 2. Therefore the petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

3. The first petitioner has examined himself as PW1, she had produced 16 documents to support her deposition which are listed as Ex.P1 to Ex.P16 at the foot of the order. He had produced the original Will dated 28.04.2003 executed by the testator as Ex.P1. The aadhar card of the petitioners had been marked as Ex.P2 and Ex.P3. The computer generated family card of the 1st

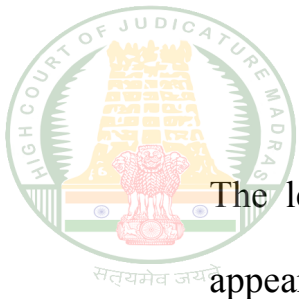


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petitioner has been marked as Ex.P6. The computer generated death certificate of the testator has been marked as Ex.P8. The computer generated legal heirship certificate of the testator has been marked as Ex.P9 which shows that the respondents 1 to 3 are the only legal heirs of the testator. As the evidence of the title held by the testator to the said subject property a Sale Deed dated 02.03.1992 executed in favour of the testator has been marked as Ex.P12. A perusal of Ex.P1 clearly substantiates that the petitioners are absolute beneficiaries named in the Will executed by the testator. The general paper publication had been effected which are marked as Ex.P15 and Ex.P16 and no objections were received for the same.

4. The petitioner has examined Mr.P.Rajan, who is the 1st attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him along with the 2nd attesting witness Mr.T.Elango and has marked his affidavit as Ex.P17.

5. The Registry has put a note that the service of notices upon the respondents 1 to 3 has been completed *vide* order 02.04.2024. The 2nd and 3rd respondents have given their consent to grant the Letters of Administration in favour of the petitioners and their respective consent affidavits were filed.



The learned counsels for the 1st respondent and respondents 2 to 3 have appeared on behalf of them and have expressed their consent to grant the Letters of Administration in favour of the petitioners.

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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 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 28.04.2003 of the testator Mr.T.N.Rangarajan. 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.

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Index :Yes/No

Petitioner's witness:

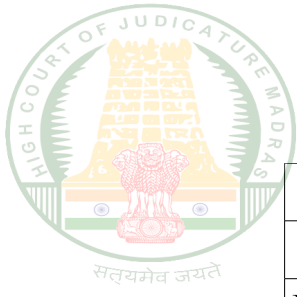
P.W.1 – Mr.Adithya

P.W.2 – Mr.P.Rajan



Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original Will dated 28.04.2003 executed by Mr.T.N.Rangarajan.
Ex.P2	Photocopy of Aadhaar Card of P.W.1(Compared with the original)
Ex.P3	Photocopy of the Aadhaar card of the second petitioner(Compared with the original)
Ex.P4	Photocopy of the Aadhaar Card of the second respondent (Compared with the original)
Ex.P5	Photocopy of the Aadhaar Card of the third respondent.(Compared with the original)
Ex.P6	Computer generated family card of P.W.1.
Ex.P7	Computer generated death certificate of Mr.T.Elango.
Ex.P8	Computer generated death certificate of Mr.Rangarajan.
Ex.P9	Computer generated legal heir certificate of Mr.Rengarajan.
Ex.P10	Online printout of certificate of exact from the town survey land register dated 29.11.2022 in respect of the schedule mentioned property.
Ex.P11	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P12	Photocopy of the sale deed dated 02.03.1992 executed in favour of Mr.T.N.Rangarajan(Compared with the original)
Ex.P13	Original valuation report dated 23.12.2022 given by Athiyaman Associates, Government approved valuer in respect of the schedule mentioned property.
Ex.P14	Affidavit of assets showing the net value of the estate as Rs.3,77,77,630/-
Ex.P15	Copy of the paper publication effected in one issue of Tamil daily "Malai Malar"dated 20.07.2024.
Ex.P16	Copy of the paper publication effected in one issue of



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<i>Exhibits</i>	<i>Documents</i>
	English daily "Southern Mail" dated 30.07.2024.
Ex.P17	Affidavit of P.W.2.
Ex.P18	Photocopy of Aadhaar Card of P.W.2 (Compared with the original)

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