



WEB COPY



O.P. No.95 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.95 of 2023

1. R. Rani W/o. Ramesh	
2. S. Ganesan S/o. Late Singaru	
3. G. Madhan S/o. S. Ganesan	
4. G. Vasanthakumar S/o. S. Ganesan	
5. G. Geetha W/o. Tholkappain	
6. C. Girija W/o. Sundhar	
7. C. Vasanthi W/o. Chandrasekar	... Petitioners
vs	
Sathyanarayanan S/o. Santhanakrishnan	... Respondent

PRAYER: Original Petition is filed under Section 218 and 278 of the Indian Succession Act of 1925 read with Order XXV Rule 5 of the Original Side Rules praying to grant letters of Administration to the property and credits of the deceased B. Prema having effect limited to the State of Tamil Nadu.

For Petitioners : Mr. A. Aravindan
for M/s. Arulselvam Associates.

For Respondent : Notice served. No appearance.

Page No.1 of 8



O.P. No.95 of 2023

ORDER

WEB COPY

This petition has been filed under Section 218 and 278 of the Indian Succession Act to grant Letters of Administration to the property and credits of the deceased having effect limited to the State of Tamil Nadu.

2. After filing of this petition, this Court directed the petitioners 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 petitioners, PW1 was examined and Ex.P.1 to Ex.P12 were marked.

3. According to the petitioners, one Ms. B. Prema D/o. Late C. Balakrishna Naidu died intestate on 28.07.2018 leaving the house in the First Floor, measuring 847.36 sq. ft. with one covered car parking together



O.P. No.95 of 2023

with undivided share of land at 380/936 sq. ft. situated at Door No.14, Shanthi

Nagar Main Road, Perambur, Chennai within the jurisdiction of this Court.

The said deceased B. Prema was a spinster and she died leaving behind her father late C. Balakrishna Naidu and two sisters G. Revathi and S. Suseela as her surviving legal heirs. In fact, the said late C. Balakrishna Naidu has five daughters and one son namely, B. Prema, B. Lakshmipathi, B. Meera, G. Revathi, S. Suseela and R. Rani. The 1st daughter B. Prema is the deceased herein and the daughter R. Rani is the 1st petitioner herein. The said B. Lakshmipathi and B. Meera were predeceased B. Prema on 15.08.2009 and 11.10.2001 respectively. The said G. Revathi died on 04.05.2021 leaving behind her, the petitioners 2 to 5 herein as her legal heirs and S. Suseela died on 08.12.2019 leaving behind her, the petitioners 6 and 7 as her legal heirs. Therefore, the petitioners and the respondent have become the Class-II legal heirs of the deceased B. Prema. They are entitled to claim their respective share in the property left by the deceased. The respondent is not co-operating for the grant of letters of Administration and hence, he has been shown as



O.P. No.95 of 2023

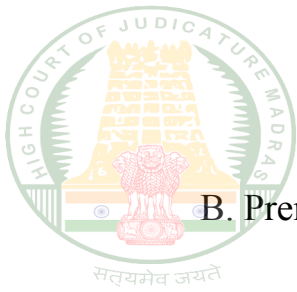
respondent in this petition. Due search has been made for the Will of the

deceased, but it was not found. The amount of assets which are likely to come to the petitioners' hands does not exceed in the aggregate the sum of Rs.15,00,000/- and the net amount of the said assets, after deducting all items is valued at Rs.14,80,000/-. Therefore, the petitioners have filed this petition.

4. In order to prove the claim of the petitioners, they examined PW1 and marked Ex.P.1 to Ex.P.12. PW1 is the 2nd petitioner herein. From the evidence of PW1 and the documents Ex.P.1 to Ex.P.12, it is clear that the deceased B. Prema died intestate and the petitioners and the respondent are the Class-II legal heirs of the deceased to succeed her estate. There is no any rival claim made against the claim of the petitioners. Despite notice, the respondent has not turned up before the Court. Therefore, the petitioners are entitled to the relief as prayed for in the petition.

5. Therefore, this Original Petition is ***allowed*** and Letter of Administration, in respect of the property and credits of the deceased

Page No.4 of 8



O.P. No.95 of 2023

B. Prema in favour of the petitioners, is granted.

WEB COPY

6. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners are also directed to execute a **security bond each** 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 petitioners are further directed to render true and correct accounts once in a year.

07.10.2025

Index : Yes/No
Speaking Order : Yes/No
mjs

APPENDIX

List of Petitioner side Witnesses:

PW1 : Mr. S. Ganesan

Page No.5 of 8

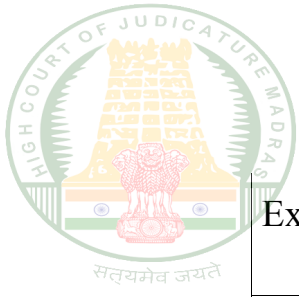


O.P. No.95 of 2023

WEB COPY

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	17.05.1980	Photocopy of the Sale Deed executed in favour of the deceased Ms. B. Prema.
Ex.P.2	-	Photocopy of the Patta bearing No.1626 standing in the name of B. Prema.
Ex.P.3	-	Photocopy of the Corporation Plan Approval bearing No.5659/2012.
Ex.P.4.	-	Computer generated Death Certificate of Ms. B. Prema.
Ex.P.5.	-	Computer generated Death Certificate of Mrs. S. Susila.
Ex.P.6.	-	Computer generated Death Certificate of Mrs. G. Revathi.
Ex.P.7.	-	Computer generated Legal Heirship Certificate of Mrs. G. Revathi.
Ex.P.8.	-	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P.9.	-	Affidavit of Assets showing the net value of the estate as Rs.14,80,000/-



O.P. No.95 of 2023

Ex.P.10.	11.10.2024	Copy of Paper publication effected in one issue of Tamil daily "Makkal Kural".
Ex.P.11	25.10.2025	Affidivit of one of the Counsels appearing for the petitioners S. Elumalai in respect of paper publication against the respondent in one issue of English daily "Trinity Mirror".
Ex.P.12	08.05.2015	Copy of Sale deed bearing Doc. No.1792/2015.

07.10.2025

P.DHANABAL.,J

mjs



WEB COPY



O.P. No.95 of 2023

O.P. No.95 of 2023

07.10.2025