



O.P.No.427 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM

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

O.P.No.427 of 2024

R.G.Srinivasan

...Petitioner

VS

1.Raya Umaranee

2.R.S.Alamelu Mankai

...Respondents

PRAYER: Original Petition filed for issuance of Letters of Administration under Sections 232, 237 & 276 of the Indian Succession Act, read with Order XXV Rule 5 of the High Court Original Side Rules, prays that the Letters of Administration with the certified copy of the Will dated 24.08.2010 executed by Raya R.Govindarajan annexed thereto, may be granted to the petitioner as the son and one of the beneficiary under the Will of the Testator, Raya R.Govindarajan, more fully described in the schedule to the petition, to have effect throughout the State of Tamil Nadu and thus render justice.

For Petitioner : Mr.V.G.Sureshkumar

For Respondents : No appearance



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ORDER

WEB COPY This Original Petition has been filed for issuance of Letters of Administration in respect of the Will dated 24.08.2010 executed by Late.Raya R.Govindarajan, who died on 01.03.2023. The petitioner and respondents are the son, wife and daughter of the testator and they are the beneficiaries under the said will. The testator has no other surviving legal heirs except the petitioner and respondents. The petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The petitioner has been examined as PW1. He has produced the death certificates of the Testator as Ex.P4. The certified copy of the registered will and testament dated 24.08.2010 as Ex.P1 on the undertaking by the petitioner that he would produce the original at the later point of time. This document is marked subject to its admissibility, proof and relevancy. The legal heir certificate of the testator as Ex.P5. The second attester to Ex.P1 has been examined as PW2 and he produced his affidavit as Ex.P11. A paper publication has been made and any objections have not been received. The learned counsel for the petitioner submitted the consent affidavits of the respondents to grant a letter of administration in favour of



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the petitioner. The respondents inspite of service of notice have remained absent and kept themselves away from their proceedings.

3. The petitioners have examined Mr.N.S.Ravi, who is the second 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.

4. 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 01.03.2023 of the testator Raya R.Govindarajan. 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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Petitioner's witness:

P.W.1 - Mr.R.G.Srinivasan

P.W.2 – Mr.N.S.Ravi

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Certified copy of the Will dated 24.08.2010 executed by Mr.R.R.Govindarajan (Witness states that the original Will is not readily available inspite of diligent search. The same has been specifically pleaded in the original petition and stated in the proof affidavit. It is also undertaken by the petitioner that he would produce the original at the later point of time. This document is marked subject to its admissibility, proof and relevancy)
Ex.P2	Photocopy of the sale deed dated 09.03.1996 executed in favour of Mr.R.R.Govindarajan registered as Doc.No.171 of 1996 at SRO, T.Nagar (Compared with the original)
Ex.P3	Photocopy of the sale deed dated 09.03.1996 executed in favour of Mr.R.R.Govindarajan registered as Doc.No.172 of 1996 at SRO, T.Nagar (Compared with the original)
Ex.P4	Computer generated death certificate of Mr.R.R.Govindarajan.
Ex.P5	Computer generated legal heir ship certificate of Mr.R.R.Govindarajan.
Ex.P6	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P7	Certificate under Section 63 of BSA.
Ex.P8	Affidavit of assets showing the net value of the estate as Rs.4,50,00,000/-
Ex.P9	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 11.09.2024.
Ex.P10	Copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 19.09.2024.
Ex.P11	My affidavit as attesting witness.
Ex.P12	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P13	Original memorandum of agreement dated 22.11.1995



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<i>Exhibits</i>	<i>Documents</i>
	between M/s.Shree Nalli Builders as first party and Mr.R.R.Govindarajan as second party.
Ex.P14	Original Memorandum of agreement dated 22.11.1995 between M/s.Shree Nalli Builders as first party and Mr.R.R.Govindarajan as second party.
Ex.P15	Downloaded copy of the property tax receipt dated 13.08.2024 standing in the name of Mr.R.R.Govindarajan in respect of the property mentioned as item 1 in the schedule to the petition.
Ex.P16	Downloaded copy of the property tax receipt dated 13.08.2024 standing in the name of Mr.R.R. Govindarajan in respect of the property mentioned as item 2 in the schedule to the petition.
Ex.P17	Affidavit under Section 65B of the Indian Evidence Act, 1872.

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