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O.P.No.444 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.07.2025**

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

O.P.No.444 of 2024

1.R.Sridhar

...Petitioner

VS.

1.Smt.P.Gowri
2.Smt.G.Maragatham
3.Smt.L.Saraswathi

...Respondents

PRAYER: Original Petition filed under Section 232 & 276 of the Succession Act, 1925 read with Order XXV Rule 5 of Original Side Rules, prays that Letters of Administration with the Will dated 12.05.2000 annexed may be granted to petitioner as the Son/Legatee/beneficiary under the Will of the said deceased M.Ramachandran having effect limited to the State of Tamil Nadu.

For Petitioner : Mr.P.Ananda Kumar

For Respondents : No appearance (For R1 to R3)

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 12.05.2000 executed by Mr.M.Ramachandran, who died on 04.05.2002. The petitioner and the

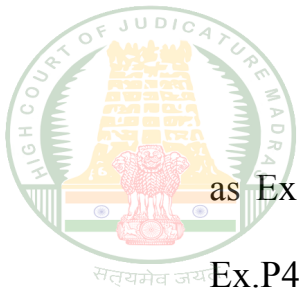


respondents 1 to 3 are the children of the testator. The testator had not appointed any executor for the above said Will.

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2. The petitioner submits that the testator got married to one Mrs.Rajeswari and had begotten the petitioner and the respondents 1 to 3 as his children. The petitioner also submits that the mother and the wife of the testator had predeceased him leaving behind the petitioner and the respondents 1 to 3 as the only legal heirs of the testator. The petitioner further submits that the testator before his death had executed a Will dated 12.05.2000 through which he had bequeathed the immovable property morefully described in the will absolutely in favour of his son, the petitioner herein. The petitioner submits that testator is the absolute owner of the immovable property mentioned in the Will which he purchased *vide* the Sale Deed dated 14.03.1988 and has built a superstructure. The petitioner is the sole beneficiary named under the said will. The petitioner therefore seeks issuance of Letters of Administration in respect of the property situated within the jurisdiction of this court.

3. The petitioner has examined himself as PW1 and he has produced 8 documents to support his deposition which are listed as Ex.P1 to Ex.P8 at the foot of the order. The original Will executed by the testator has been marked



as Ex.P2. The original death certificate of the testator has been marked as

Ex.P4. The photocopy of the Sale Deed dated 14.03.1988 has been marked as

Ex.P1. The original legal heirship certificate of the testator has been marked

as Ex.P3. Upon a detailed examination of Ex.P2, it can be clearly established

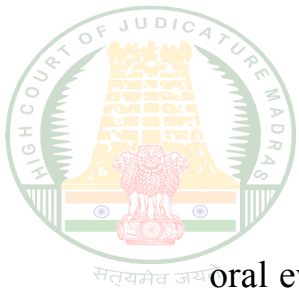
that the petitioner is the sole beneficiary under the will executed by the

testator. The general paper publications have been effected which are marked

as Ex.P7 and Ex.P8 and no objections have been received for the same.

4. The petitioner has examined one Mr.Manikandan who is the son of the 1st attesting witness as PW2. He has marked the computer generated death certificate of his father Late.Mr.Govindasamy who is the first attesting to the will as Ex.P10. He has identified the signature of his father in the Ex.P2 and has marked his affidavit as Ex.P9 and has also marked the photocopy of his aadhar card Ex.P11.

5. The service of notices upon the respondent 1 to 3 has been completed but inspite of the service being completed the respondents kept themselves away from the proceedings.



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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 petitioner is 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 petitioner, in respect of the Will dated 12.05.2000 of the testator Late.Mr.M.Ramachandran. 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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Index :Yes/No

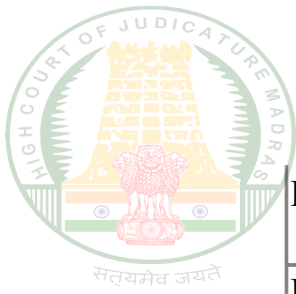
Petitioner's witness:

P.W.1 – Mr.Sridhar

P.W.2 – Mr.Manikandan

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the sale deed dated 14.03.1988.(Original is produced, compared and returned to the petitioner's counsel)



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Ex.P2	Original Will executed by Mr.M.Ramachandran in favour of Mr.R.Sridhar, petitioner dated 12.05.2000.
Ex.P3	Original legal heirship certificate of Mr.M.Ramachandran dated 26.06.2002.
Ex.P4	Original death certificate of Mr.M.Ramachandran who died on 04.05.2002.
Ex.P5	Photocopy of Aadhar card of P.W.1(Original is produced, compared and returned to the petitioner's counsel)
Ex.P6	Affidavit of assets showing the net value of estate Rs.30,55,200.00/-
Ex.P7	One issue of paper publication in Tamil Daily “Makkal Kural” dated 23.05.2025.
Ex.P8	One issue of paper publication in English Daily “Trinity Mirror” dated 30.05.2025.
Ex.P9	Affidavit of P.W.2.
Ex.P10	Computer generated copy of the death certificate of Mr.Govindasamy who died on 15.10.2021 along with 65B Certificate.
Ex.P11	Photocopy of Aadhar card of P.W.2.(Original is produced, compared and returned to the petitioner's counsel)

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