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O.P. No.359 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.359 of 2024

M.B.Vedavalli

... Petitioner

PRAYER: Original Petition is filed under Sections 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 to the Will annexed with the petition, as sister / beneficiary of the deceased having effect limited to the State of Tamil Nadu.

For Petitioner : Mr.M.L.Ramesh

ORDER

This petition has been filed under Sections 232 and 276 of the Indian Succession Act to grant Letters of Administration to the petitioner to the estates and credits of the deceased having effect limited to the State of Tamil Nadu.



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2. After filing of this petition, this Court directed the petitioner to effect general paper publication in any one of the issue of Tamil Daily and also in English daily and the paper publication was also effected and there is no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence was also recorded. On the side of the petitioner, PW1 and PW2 were examined and Ex.P.1 to Ex.P13 were marked.

3. According to the petitioner, the properties are originally owned by one M.K.Balu Reddiar, who is the father of the petitioner and the same was acquired by one B.Deenadayalan, who is the brother of the petitioner. The said B.Deenadayalan executed his last Will and Testament on 09.04.2014 and registered on 16.04.2014, wherein under the said Will, he bequeathed the entire property to the petitioner in the presence of the witnesses. The said B.Deenadayalan died as a bachelor on 14.05.2017 leaving behind his legal heirs, namely, his younger brother, Purushothaman and two sisters, viz., the petitioner and one Miss.Susheela. The said Susheela died as a spinster on 01.01.2015. The mother of the petitioner also died on 13.01.2009,

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thus, the petitioner and her brother Purushothaman are the only surviving legal heirs of deceased B.Deenadayalan, further the said Purushothaman is insane and has been taken care by the petitioner and her daughters. The petitioner is the only surviving legal heirs and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.30,00,000/-. There are no other next of kin to the deceased except the petitioner.

4. The petitioner herein, was examined as PW1 and she has deposed that she is the sister of the deceased B.Deenadayalan and reiterated the petition averments. PW2 is one of the attesting witnesses in the Will. He has deposed that the testator had executed a Will dated 09.04.2014 and registered on 16.04.2014, and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attesor and testator in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.13 revealed that the petitioner is the legal heir of the deceased and no any objection has been raised either any other party to grant letter of administration to the petitioner. Therefore, the petitioner, through the evidences and documents, has amply proved the execution of Will.

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Therefore, the petitioner is entitled to the relief as prayed for in the petition.

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5. Therefore, this Original Petition is **allowed** and Letter of Administration, to the estates and credits of the deceased Mr. B.Deenadayalan in favour of the petitioner, is granted.

6. 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
ssd

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mrs. Vedavalli
PW2 : Mr.G.Jayachandran



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List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	09.04.2014	Original registered Will and Testament executed by Mr.B.Dheenadayalan
Ex.P.2	-	Computer generated death certificate of Mr.M.B.Deenadayalan along with certificate under Section 65B of the Indian Evidence Act, 1872
Ex.P.3	-	Original death certificate of Mr.M.K.Balureddy
Ex.P.4.	-	Original legal heirship certificate of Mr.Balu Reddy
Ex.P.5	-	Photocopy of death certificate of Mrs.B.Varalakshmi Ammal
Ex.P.6	-	Photocopy of the death certificate of Mrs.B.Susheela
Ex.P.7	-	Computer generated death certificate of Mr.S.R.Ravikumar along with certificate under section 65 B of the Indian Evidence act, 1872
Ex.P.8	-	Computer generated legal heirship certificate of Mr.S.R.Ravi Kumar along with certificate under Section 65B of the Indian Evidence Act, 1872
Ex.P.9	-	Photocopy of aadhar card of the petitioner
Ex.P.10	-	Affidavit of assets showing the net value of the estate as Rs.30,00,000/-
Ex.P.11	23.11.2024	Paper Publication effected in one issue of tamil daily 'makkal kural'
Ex.P.12	30.11.2024	Copy of paper publication effected in one issue of English daily 'trinity Mirror'
Ex.P.13		Photocopy of Aadhar card of P.W.2

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