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OP No. 347 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 347 of 2025

1. V.Vishal
S/o.P.Vijay, Door No.4B, Esquire,
Venkatasamy Road, Siddhapudur,
Coimbatore South, Coimbatore - 641
044, Tamil Nadu.

Petitioner(s)

Vs

1. P.Vijay
S/o.L.Palanisamy, Door No.4B,
Esquire, Venkatasamy Road,
Siddhapudur, Coimbatore South,
Coimbatore, Tamil Nadu - 641 044,.

Respondent(s)

PRAYER: This Original Petition has been filed under Sections 232 and 276 of the Indian Succession Act, Act XXXIX of 1925 and under Order XXV Rule 5 of the Original Side rules praying that Letters of Administration with Will annexed of the properties and credits of deceased may be granted to him as grandson and beneficiary under the Will of deceased to have effect limited to the State of Tamil Nadu.



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For Petitioner(s): M/s.P.Duraisamy

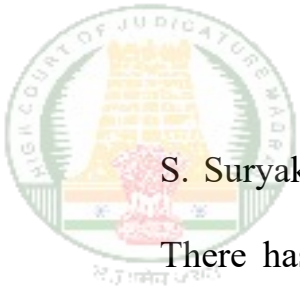
For Respondent(s): Mr. E. Akila

ORDER

This petition has been filed under Section 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 throughout the State of Tamil Nadu.

2. After filing of this petition, this Court directed the petitioner 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 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.P.16 were marked.

3. According to the petitioner, the petitioner is the son of the respondent. The respondent is the son of Mr. L. Palaniswamy and P. Pushpavalli. The said Mr. L. Palaniswamy died on 10.07.2022 and Mrs. P. Pushpavalli died on 17.07.2014. The respondent is the sole legal heir of both the above said deceased. The petitioner is their grandson. Both deceased Mr. L. Palaniswamy and P. Pushpavalli had jointly executed a registered Will and Testament dated 29.09.2009 in the presence of two witnesses namely K.L. Navamani and



S. Suryakumari. The whereabouts of the said K.L. Navamani are not known.

There has been no executor as per the Will executed by the deceased. The amount of assets which are likely to come to the petitioner's hand does not exceed in the aggregate a sum of Rs.2,00,00,000/-. There is no other next of kin or interested persons to be impleaded.

4. The petitioner herein, was examined as PW1. He has stated that the Mr. L. Palaniswamy and P. Pushpavalli are none other than his grandparents and the respondent is the father of the petitioner and further, he reiterated the petition averments. PW2, Mrs. S. Suriyakumari, is one of the attesting witnesses in the Will. She has deposed that she knew Mr. L. Palaniswamy and Mrs. P. Pushpavalli as family friend and the said Mr. L. Palaniswamy and P. Pushpavalli had jointly executed a Will dated 29.09.2009 and she was also present along with the testator and testatrix at the time of execution of Will. She has signed as second attestor to Ex.P.2 Will in the presence of the testator and testatrix and the 1st attesting witness is Mr. K.L. Navamani. She has also stated that the testator and the testatrix had signed in the Will in the presence of the attesting witnesses and they both were in sound state of mind and in good health at the time of execution of Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.16 revealed that the petitioner is the legal heir of the respondent and the respondent is the son of the deceased and no any objection has been



raised either by any of the respondent or any other party to grant letter of administration to the petitioner. The respondent has also filed his consent affidavit to grant letter of administration in favour of the petitioner. Therefore, the petitioner, through the evidences and documents, has amply proved the execution of Will. Therefore, the petitioner is entitled to the relief as prayed for in the petition.

5. Therefore, this Original Petition is *allowed* and Letter of Administration, to the estates and credits of the deceased Mr. L. Palaniswamy and P. Pushpavalli 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/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
mjs

**APPENDIX:****List of Petitioner side Witnesses:**

PW1 : Mr. V. Vishal
PW2 : Mrs. S. Suriyakumari

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	12.01.1998	Photocopy of the Sale Deed executed in the name of Mr. L. Palaniswamy and Mrs. P. Pushpavalli.
Ex.P.2	29.09.2009	Original Joint and Mutual Will executed by Mr. L. Palaniswamy and Mrs. P. Pushpavalli.
Ex.P.3	-	Computer generated Death Certificate of Mrs. P. Pushpavalli Palaniswamy.
Ex.P.4.	-	Computer generated Legal Heirship Certificate of Mrs. P. Pushpavalli Palaniswamy.
Ex.P.5	-	Photocopy of the Aadhar Card of Mrs. P. Pushpavalli Palaniswamy.
Ex.P.6	-	Computer generated Death Certificate of Mr. L. Palaniswamy.
Ex.P.7	-	Computer generated Legal Heirship Certificate of Mr. L. Palaniswamy.
Ex.P.8.	-	Photocopy of the Aadhar card of Mr. Palaniswamy Lakshmanan.
Ex.P.9	-	Photocopy of the Birth Certificate of Mr. V. Vishal.
Ex.P.10	-	Photocopy of PW1's Aadhar Card.
Ex.P.11	-	Photocopy of the Aadhar card of Mr. P. Vijay.
Ex.P.12	-	Certificate under Section 63(4)(c) of B.S.A for electronic documents.
Ex.P.13	-	Affidavit of assets showing the net value of the estate as Rs.1,99,50,000/-



Ex.P.14	09.10.2025	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural”.
Ex.P.15	16.10.2025	Copy of paper publication effected in one issue of English daily “Trinity Mirror”.
Ex.P.16	-	Photocopy of the Aadhar Card of PW2.

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