



WEB COPY

OP No. 583 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 583 of 2024

S.Vijayalakshmi

Petitioner

Vs

1. Nirmala

W/o. Girirajan,

No.44, Periyarpathai,

Choolaimedu, Chennai 600 094.

2.Indumathi

W/o. Kannan

No.A1/5, S I Quarters,

South Sivan Koil Street,

Vadapalani, Chennai 600 026.

3.Dharanipathy

S/o. G.M.Swamy,

Azad Road, Ariyur Post,

Sripuram Tirumalaikodi, Vellore District 632 055.

Respondents

PRAYER: This Original Petition has been filed under Section 232 and 276 of Indian Succession Act, 1925 r/w under Order XXV Rule 5 of the Madras High Court (Original Side) Rules, praying to grant Letter of Administration with the Will Annexed dated 09.03.2009 may be granted to the petitioner as the Daughter/Beneficiary under the Will executed by the said deceased having effect limited to the State of Tamil Nadu.



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For Petitioner(s): Mr.M.Anbarasu

For Respondent(s): Notice served, No appearance

ORDER

The present petition has been filed, seeking Letters of Administration of the Will dated 09.03.2009 executed by S.Kamalammal in favour of the petitioner, who is the Daughter/Beneficiary of the said S.Kamalammal.

2. According to the petitioner, she is one of the daughters of the deceased S.Kamalammal. The respondents are the sisters and the brother of the petitioner. The said S.Kamalammal died on 16.06.2019. During her life time, the said S.Kamalammal had executed a registered will dated 09.03.2009, bequeathing 1/5th undivided share of land (i.e., 565 sq.ft) out of 2822 sq.ft., together with the building thereon measuring an extent of 900 sq.ft, comprised in S.No.149/2D of Virugambakkam Village, Mambalam Taluk, Chennai 600 092, in favour of the petitioner. The petitioner is the beneficiary of the Will and after the demise of the said S.Kamalammal, as per the registered Will, the petitioner



is entitled to the life interest of the aforesaid property. Therefore, the petitioner has filed the present petition, seeking the aforesaid relief.

3. After filing this petition, on 24.02.2025, the petitioner was directed to effect paper publication in A.No.744 of 2025 and the same was also effected. As there was no objectors, the matter was posted before the Master for recording evidence and the evidence was also recorded.

4. On the side of the petitioner, the petitioner herself was examined as PW1 and the attesting witness, namely Mr.M.Mohammed Bilal was examined as PW2. Exs.P1 to P5 were marked.

5. PW2 is one of the attesting witness of the Will and PW2 categorically deposed the execution of the Will and attestation of the Will. The evidence of PW1 and PW2 and document Exs.P1 to P5 have squarely proved the execution of the Will of the said S.Kamalammal. Thus, the will dated 09.03.2009 been duly proved in accordance with law. Hence, the petitioner is entitled to the relief



as prayed for in the petition.

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6. Therefore, this Original Petition is allowed and the Letters of Administration in respect of the Will dated 09.03.2009 executed by the said S.Kamalammal, in favour of the petitioner, is granted.

7. 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) each** in favour of the **Assistant Registrar (O.S.No.II), High Court of Madras**. The petitioner is further directed to render true and correct accounts once in a year.

26-09-2025

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



List of Petitioner Side Witnesses:

- WEB 1. P.W.1 : Mrs.S.Vijayalakshmi
2. P.W.2 : Mr.M.Mohammed Bilal

List of Petitioner side Documents:

- Ex.P1 : The online copy of the death certificate of S.Kamalammal
(date of death 16.06.2019), dated 02.07.2019.
- Ex.P2 : The photocopy of the aadhar card of the petitioner
Mrs.S.Vijayalakshmi (original produced, verified and
returned)
- Ex.P3 : The certified copy of the sale deed in Doc.No.761/1979,
dated 16.07.1979
- Ex.P4 : The original Will executed by Mrs.S.Kamalammal dated
09.09.2009
- Ex.P5 : The photocopy of the aadhar card of Mr.Mohammed Bilal

26.09.2025



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