



WEB COPY

O.P.No.483 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.03.2025**

CORAM

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

O.P.No.483 of 2023

1.V.Sujatha
2.Preethi Venkatesan
3.V.Koushik Balaji

...Petitioners

vs.

1.Rama Rajagopalan
2.V.Kousalya

...Respondents

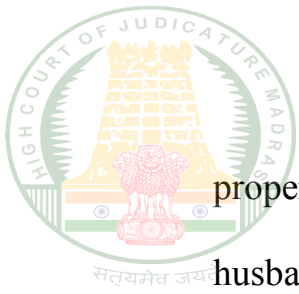
PRAYER: Original Petition filed under Sections 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of the Madras High Court O.S.Rules, prays that Letters of Administration with the Will annexed may be granted to the petitioners as the legal heirs of the sole beneficiary of the Will having effect throughout the State of Tamil Nadu.

For Petitioners : Mr.Nageswaran

For Respondents : Mr.M.Mohammed Gouse

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 09.02.2018 executed by late.Mrs.L.Rukmani, who died on 02.08.2019. The ownership to the schedule



WEB COPY

property mentioned under the will has passed to the testatrix through her late husband Mr.K.R.Lakshmi Narasimhan who predeceased her. The couple had no issues. Late.Mr.Venkatesan S/o Mr.R.Varadarajan was the sole beneficiary of the above said will who was the son of the elder brother of the Testatrix's husband late.Mr.K.R.Lakshmi Narasimhan, who is also mentioned as the adopted son by the testatrix in the above said will. The petitioners Mrs.V.Sujatha is the wife of late.Mr.Venkatesan, Mrs.Preethi Ashwin daughter of late.Mr.Venkatesan and Mr.Koushik Balaji the son of late.Mr.Venkatesan. The petitioners are the only surviving legal heirs of late.Mr.Venkatesan who was the sole beneficiary under the said will. The petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The first petitioner has examined herself as PW1. She has produced the death certificates of the Testatrix, the Husband of the Testatrix late.Mr.K.R.Lakshmi Narasimhan and her husband late.Mr.Venkatesan as Ex.P2, Ex.P6 and Ex.P8 respectively. The certified copy of the registered will and testament dated 09.02.2018 as Ex.P1. The original legal heir certificate of late.Mr.K.R.Lakshmi Narasimhan as Ex.P3, the original legal



WEB COPY

heirship certificate of late.Mr.R.Varadarajan as Ex.P5 and copy of the legal heirship of Late.Mr.Venkatesan as Ex.P9. The original Sale Deed of the schedule property dated 11.03.1978 is marked as Ex.P10. On perusal of Ex.P5 and Ex.P6 its clear that husband of the testatrix Late.Mr.K.R.Lakshmi Narasimhan and the father of the deceased beneficiary late.Mr.R.Varadarajan were brothers. On perusal of Ex.P6, Ex.P3 and Ex.P10 its clear that the schedule property was passed to the testatrix through her husband late.Mr.K.R.Lakshmi Narasimhan who predeceased her and the couple had not begotten any issues leaving the testatrix as his sole legal heir. On perusal of Ex.P1 and Ex.P9 it clearly exhibits that the petitioners are the only surviving legal heirs of the late.Mr.Venkatesan who is the sole beneficiary under the will of the testatrix Ex.P1.

3. The respondents Mrs.Rama Rajagopalan and Mrs.V.Kausalya are the sisters of late.Mr.Venkatesan. The paper publications were made and are marked as Ex.P12 and Ex.P13, no objections were received.

4. Mrs.Harini Srikrishna, who is the second attesting witness to the said Will has deposed as PW2. She has spoken about the execution of the Will by



the testatrix and its attestation by her and has marked her affidavit as Ex.P15.

WEB COPY

5. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

6. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioners, in respect of the Will dated 09.02.2018 of the testatrix late.Mrs.L.Rukmani. The petitioners are 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 petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

07.03.2025

kak

Index :Yes/No

Petitioner's witness:

P.W.1 - Mrs.V.Sujatha

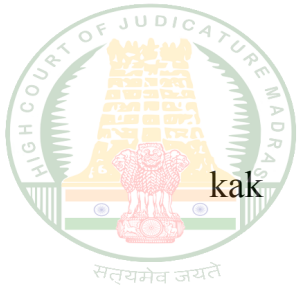
P.W.2 – Mrs.Harini Srikrishna



Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original registered Will and Testament dated 09.02.2018 executed by Mrs.L.Rukmani.
Ex.P2	Original death certificate of Mrs.L.Rukmani.
Ex.P3	Original legal heir ship certificate of Mr.K.R.Lakshmi Narasimhan.
Ex.P4	Computer generated death certificate of Mr.Krishnan.
Ex.P5	Original Legal heir ship certificate of Mr.R.Varadarajan.
Ex.P6	Original death certificate of Mr.K.R.Lakshmi Narasimhan.
Ex.P7	Original death certificate of Mrs.Padmasiniammal.
Ex.P8	Computer generated death certificate of Mr.Venkatesan Varadarajan.
Ex.P9	Computer generated legal heir ship certificate of Mr.Venkatesan.
Ex.P10	Original sale deed dated 11.03.1978 executed in favour of Mr.K.R.Lakshmi Narasimhan.
Ex.P11	Affidavit of assets showing the net value of the estate as Rs.19,99,000/-
Ex.P12	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 01.07.2024.
Ex.P13	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror" dated 08.07.2024.
Ex.P14	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P15	My affidavit as attesting witness.
Ex.P16	Photocopy of my Driving Licence bearing No.TN0920140010133 (Compared with the original)

07.03.2025



kak

WEB COPY

O.P.No.483 of





WEB COPY

O.P.No.483 of



K.KUMARESH BABU,J.

kak

O.P.No.483 of 2023

07.03.2025