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O.P.No.695 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.06.2025**

CORAM

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

O.P.No.695 of 2024

1.Mr.M.N.Amara Narayanan
2.Mrs.V.Sujatha

...Petitioners

vs.

Mr.M.N.Anantha Narayanan

...Respondent

PRAYER: Original Petition filed under Section 232 & 276 of the Indian Succession Act, 1925 and Under Order XXV, Rule 5 of O.S.Rules, prays that Letters of Administration with Will annexed may be granted to them as they are the son & daughter / beneficiaries under the Will of the said deceased having effect limited to the State of Tamil Nadu.

For Petitioners : M/s.R.Nagalakshmi

For Respondent : Mr.J.Nithyanandan

ORDER

This Original Petition has been filed for Issuance of the Letters of administration in respect of the Will dated 11.06.2019 executed by late M.N.Vasanth, who died on 28.01.2021. The petitioners and the respondent are the children of the testatrix. The husband of the testatrix predeceased him. The petitioners are the beneficiaries under the Will. The testatrix did not



appoint an executor under the Will. Hence, the petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this Court.

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2. The first petitioner has been examined as PW1. He has produced the death certificates of the Testatrix and her husband as Ex.P5 and Ex.P4. The original registered will and testament dated 11.06.2019 as Ex.P7. The legal heir certificate of the husband of the testatrix as Ex.P6. Perusal of Ex.P6, shows that the husband of the testatrix died leaving behind the testatrix/his wife and his children who are the petitioners and the respondent herein. From the above observation, it can be inferred that the petitioners and the respondent are the surviving legal heirs of the testatrix. Paper publications were made and no objection was received from any person.

3. The learned counsel for the respondent submitted that the respondent who is mentally retarded person represented by his brother, the first petitioner as Guardian, has no objection to grant letters of Administration in favour of the petitioners.



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4. The petitioner has examined Mr.V.N.Harinath, who is the first attesting witness to the said Will as PW2. He has spoken about the execution by the testatrix and attestation of the Will by him along with another attesting witness.

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 11.06.2019 of the testatrix late M.N.Vasanth. 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.

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Index :Yes/No



Petitioner's witness:

P.W.1 – Mr.M.N.Amara Narayanan

P.W.2 – Mr.V.N.Harinath

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Sale Deed Doc.No.1801/1987 dated 26.08.1987.
Ex.P2	Photocopy of the Sale Deed Doc.No.3932/1997 dated 06.06.1997.
Ex.P3	Photocopy of the Deed of Partition Doc No.057/2011 dated 28.10.2011.
Ex.P4	Photocopy of the Death Certificate of M.K.Narasimhalu dated 25.10.1997.
Ex.P5	Photocopy of the Death Certificate of M.N.Vasantha dated 03.03.2021.
Ex.P6	Photocopy of the Legal Heirship Certificate of Late M.K.Narasimhalu dated 02.04.1998.
Ex.P7	Original Will of M.N.Vasantha dated 11.06.2019.
Ex.P8	Photocopy of the Guardian Certificate of M.N.Ananthanarayanan dated 18.03.2024.

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