



O.P.No.364 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.364 of 2025

V.Prasannakumar, S/o Late.Vishwanathan

... 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 nephew/beneficiary/legatee under the last Will and testament of deceased Tmt.Thangamma, having effect throughout the State of Tamil Nadu.

For Petitioner : Mr.M.Sureshmumar

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.

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



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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, P.W.1 to P.W.3 were examined and Ex.P.1 to Ex.P.14 were marked.

3. According to the petitioner, he is the first son of the younger sister of the deceased Thangamma. The said Thangamma married her husband, Parameswaran. The said Thangamma died on 11.01.2023 and the suit property was purchased by her husband, Parameswaran on 26.11.1993. The said Paramewaran pre-deceased Thangamma and the father-in-law and mother-in-law of the deceased also pre-deceased her. Subsequently, the said Thangamma, duly executed her last Will and Testament at Chennai on 30.06.2013 to and in favour of the petitioner. The last Will and testament executed by the deceased was on 30.06.2013. No executor was appointed under the Will. The petitioner is the only surviving legal heir and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.28,42,000/-. There are no other next of kin to the deceased except the petitioner.

4. The petitioner herein, was examined as P.W.1. He has deposed that he is the first son of the younger sister of the deceased



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Thangamma and reiterated the petition averments. PW2 is the first attesor to the Will. He has deposed that the testator had executed a Will dated 30.06.2013 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attestor and testator in the Will. PW3 is second attestor to the Will. He has deposed that the testator had executed a Will dated 30.06.2013 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attestors and testator in the Will. A perusal of evidences of PW1 to PW3 and Ex.P.1 to Ex.P.14 revealed that the petitioner is the legal heir of the deceased and no any objection has been raised by 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. 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 Mrs. Thangammal 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**



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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

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APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. V.Prasannakumar
PW2 : Mr.E.K.Dharman
PW3 : Mr.R.Jayachandran

List of Petitioner side Documents:

Ex.No.	Date	Description of Documents.
Ex.P.1.	30.06.2013	Original Will executed by Mrs.Thangammal
Ex.P.2	-	Computer generated death certificate of Mrs.Santha
Ex.P.3	-	Computer generated death certificate of Mr.P.Parameswaran
Ex.P.4.	-	Computer generated Death Certificate of Mrs.L.Thangamma
Ex.P.5	-	Photocopy of the Aadhar card
Ex.P.6	-	Photocopy of the legal heirship certificate of Mr.P.Parameswaran
Ex.P.7	10.03.2025	Online printout of property tax receipt standing in the name of L.Thangamma
Ex.P.8	-	Photocopy of family card of Mrs.Thangamma
Ex.P.9	-	Photocopy of my family card
Ex.P.10	26.11.1993	Photocopy of sale deed executed in favour of Mr.Parameswaran



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Ex.P.11		Affidavit under Section 63(4) of BSA
Ex.P.12		Affidavit of assets showing the net value of the estate as Rs.28,22,000/-
Ex.P.13	23.08.2025	Copy of the paper publication effected in one issue of Tamil Daily 'Makkal Kural'
Ex.P.14	31.08.2025	Paper Publication effected in one issue of english daily 'Trinity Mirror'

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To

The Sub Assistant Registrar,
O.S.Section,
High Court, Madras



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P.DHANABAL.,J

ssd

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