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O.P.No.787 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.06.2025**

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

O.P.No.787 of 2024

1.Mr.M.R.Vijayakrishnan
2.Mrs.Savithiri Vijayakrishnan

...Petitioners

PRAYER: Original Petition filed under Sections 232 and 276 of the Indian Succession Act 1925 for issue of Letter of Administration with the Will annexed read with Under Order XXV Rule 5 of O.S. Rules, prays that Letters of Administration with the WILL annexed may be granted to them as Son and Daughter in law/Beneficiary of the WILL of the said deceased having effect limited to the State of Tamil Nadu.

For Petitioners : Mr.R.Suresh Kumar
For M/s.K.M.Vijayan Associates

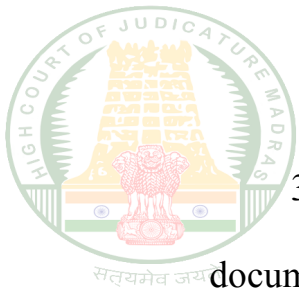
ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 29.11.2019 executed by Late.Mrs.M.V.Rajalakshmi @ Chellam, who died on 21.05.2022. The 1st petitioner who is the brother's son of the testatrix is also the foster son of the testatrix and her husband. The 2nd petitioner is the wife of the 1st petitioner.



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2. The petitioners submit that the testatrix was married to one Mr.R.Lakshminarayanan who predeceased her and the couple had no issues from their marriage. The petitioners state that the testatrix lived with them and was taken care of by them until her demise. The petitioners submit that the 1st petitioner was the foster son of both the testatrix and the husband of the testatrix. The petitioners submit that the testatrix purchased an immovable property *vide* the Sale Deed dated 05.06.1995, registered as Document No.615 of 1995 in SRO, Thousand Lights, later she entered into a Development Agreement dated 20.07.2015 with one M/s. Srichakra Builders and Developers (P) Ltd., for the developing the above said property into an Apartments within which the properties mentioned in the Schedule 'A' and Schedule 'B' of the petition are a part of. The petitioners further concede that the testatrix before her death had executed a Will on 29.11.2019 in which the testatrix had bequeathed the immovable property mentioned in the Schedule 'A' of the petition absolutely in favour of the 1st petitioner and the property mentioned in the Schedule 'B' of the petition was bequeathed in favour both the 1st and 2nd petitioners. The petitioners are the only beneficiaries under the said will. The petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.



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3. The first petitioner has examined himself as PW1, he had produced 6 documents to support his deposition which are listed as Ex.P1 to Ex.P6 at the foot of the order. The registered Will dated 29.11.2019 has been marked as Ex.P1. The death certificates of the testatrix had been marked as Ex.P2. The photocopy of the Sale Deed dated 05.06.1995 is marked as Ex.P3. The photocopy of the Development Agreement dated 20.07.2015 is marked as Ex.P4. The photocopy of the PAN card of the 1st petitioner is marked as Ex.P5. A perusal of Ex.P1 substantiates that both the petitioners 1 and 2 are the beneficiaries named under the said will for the immovable properties mentioned in Schedule 'A' and 'B' of the petition.

4. The second petitioner had been examined as PW2 and she had produced the photocopies of her Aadhar card and PAN card as EX.P7 and Ex.P8. The general paper publications had been as effected no objections were received.

5. The petitioner has examined Mr.Manish Singh Purohit, who is the second attesting witness to the said Will as PW3. He has spoken about the execution of the Will by the testatrix and its attestation by him along with the first attesting witness Mr.Jayakumar.



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6. 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

7. 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 29.11.2019 of the testator Late.Mrs.M.V.Rajalakshmi @ Chellam. 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.

25.06.2025

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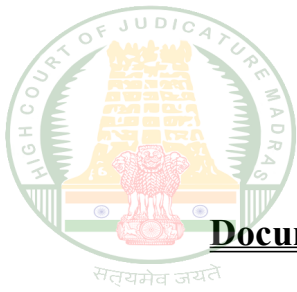
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.M.R.Vijaykrishnan

P.W.2 – Mrs.Savithiri Vijayakrishnan

P.W.3 – Manish Singh Purohit

**Documents exhibited by the petitioners:**

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Exhibits	Documents
Ex.P1	Registered Will dated 29.11.2019.
Ex.P2	Photocopy of the Death Certificate of late M.V.Rajalakshmi dated 13.06.2022.
Ex.P3	Photocopy of the Sale Deed dated 05.06.1995(Compared with original)
Ex.P4	Photocopy of the Development Agreement dated 20.07.2015. (Compared with the original)
Ex.P5	Photocopy of the Aadhaar Card of the first petitioner.(Compared with the original)
Ex.P6	Photocopy of the PAN Card of first petitioner. (Compared with the original)
Ex.P7	Photocopy of the Aadhaar Card of second petitioner.(Compared with the original)
Ex.P8	Photocopy of the PAN Card of second petitioner.(Compared with the original)

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