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O.P. No.55 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.55 of 2025

- | | |
|--|-----------------|
| 1. T.N. Jayalakshmi W/o. T. Kumaresan | |
| 2. T.N. Uma Maheswari W/o. P. Shanmugasundaram | ... Petitioners |
| vs | |
| 1. Vijayalakshmi W/o. V. Tamizharasu | |
| 2. R. Sivasubramaniam (Executor) | .. Respondents |

PRAYER: Original Petition is filed under Section 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 with the Will annexed, to the petitioner as daughters of the deceased / beneficiaries under the Will of the deceased having effect through out the State of Tamil Nadu.

For Petitioners	:	Mr. V. Srikanth
For Respondents	:	No appearance.

ORDER

This petition has been filed under Section 232 and 276 of the Indian



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Succession Act to grant Letters of Administration with the Will, annexed to

the petition, as the daughters of the deceased / beneficiaries under the Will of the said deceased having effect through out the State of Tamil Nadu.

2. After filing of this petition, this Court directed the petitioners 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 thereafter no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence also was recorded. On the side of the petitioners, PW1 to PW3 were examined and Ex.P.1 to Ex.P.8 were marked.

3. According to the petitioners, one Tr. T.S. Nataraja Sundaram is the father of the petitioners and the 1st respondent. The said T.S. Nataraja Sundaram died on 14.08.2011 leaving behind his wife Ramathilagam and daughters as his legal heirs to succeed his estates. During his lifetime, he

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possessed movable and immovable properties within the jurisdiction of this

Court. The parents of the Testator T.S. Nataraja Sundaram predeceased him.

The petitioners and the 1st respondent are the siblings and they are the only legal heirs of the deceased. There are no next of kin or other persons interested to be impleaded as parties in these proceedings. In the last Will duly registered on 27.08.2008 was signed by the wife of the deceased V. Ramathilagam and one N. Anantharaman as attesting witnesses. Both of them are not alive. The 2nd respondent R. Sivasubramaniam has been appointed as the Executor of the Will. He has relinquished his executorship and has issued a letter of relinquishment. The mother of the petitioners and the 1st respondent was granted life estate through the Will and she died on 08.12.2023. The amount of the assets, which are likely to come to the hands of the petitioners does not exceed in the aggregate the sum of Rs.50 lakhs and the net amount of the said assets after deducting all the items, which the petitioners are allowed to deduct is of the value of Rs.50 lakhs. Therefore, the petitioners have filed this petition.

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Through PW1, Ex.P.1 to Ex.P.8 were marked. The Original Will dated 27.08.2008 executed by T.S. Nataraja Sundaram has been marked as 'Ex.P.1'.

From the evidences of PW2 and PW3, it is seen that PW2 is a neighbour and known person to the family of the deceased T.S. Nataraja Sundaram and PW3 is the cousin of the deceased. They have categorically deposed about the execution of the Will by the deceased and about the attestation by the attestors. They have identified the signature of the deceased in the Will dated 27.08.2008 and the signature of the 1st attesting witness Smt. Ramathilagam, wife of the deceased. Therefore, the execution of the Will and attestation are duly proved in accordance with law. There is no any rival claim against the Will. The 1st respondent Tmt. Vijayalakshmi has filed a consent affidavit expressing her consent and willingness for allowing the petition as prayed for by the petitioners. The available evidences amply proved the execution and attestation of the Will. Therefore, the petitioners have proved the Will in the

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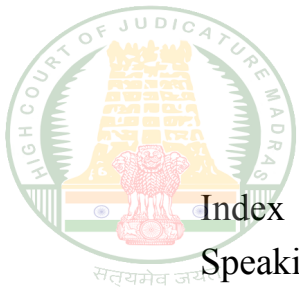
manner known to law and they are entitled to the relief as prayed for in the petition.

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4. In view of the above, this Original Petition is ***allowed*** and Letter of Administration, in respect of the Will and Testament dated 27.08.2008 executed by T.S. Nataraja Sundaram (deceased) in favour of the petitioners, is granted.

5. Issue Letters of Administration in favour of the petitioners. The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioners are also directed to execute a **security bond each** for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** in favour of the **Assistant Registrar (O.S.II), High Court, Madras**. The petitioners are 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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List of Petitioner side Witnesses:

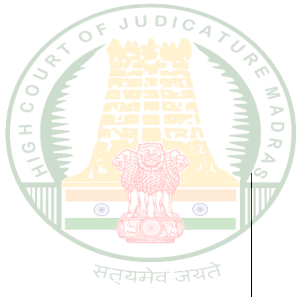
PW1 : Mrs. T.N. Jayalakshmi

PW2 : Mr. K. Ilango

PW3 : Mr. D. Shanmugam

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	27.08.2008	Original registered Will executed by T.S. Nataraja Sundaram.
Ex.P.2	14.08.2011	Computer generated Death Certificate of T.S. Nataraja Sundaram
Ex.P.3	19.09.2011	Photocopy of the Legal Heirship Certificate of T.S. Nataraja Sundaram
Ex.P.4.	08.12.2023	Computer generated Death Certificate of V. Ramathilgam .
Ex.P.5	31.01.2024	Computer generated Legal Heirship Certificate of V. Ramathilagam Sundaram.
Ex.P.6	-	Photocopy of the Electricity Card stands in the consumer No.269-18-265 and consumer name Nataraja.
Ex.P.7	02.04.2024	Computer generated Property Tax Receipt No.2024-24/ON/0050159 stands in the



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		name of V. Ramathilagam for the Door No.25(64), 2nd Street, Venkatesa Nagar, 2nd Street - Venkatesa Nagar 1st Extn, Venkatesh Nagar, Virugambakkam, Chennai-600 092.
Ex.P.8	07.03.1968	Photocopy of the Sale Deed.

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