



O.P.No.777 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.08.2025**

CORAM

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

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- 1.Mrs.Banumathi
- 2.Mrs.K.Gomathi
- 3.Mrs.L.Gayathri
- 4.Mrs.R.Sudha
- 5.Mr.L.Sasikumar
- 6.Mrs.Chitra @ Sai Chitra Devi
- 7.Mrs.S.Akila
- 8.Mr.V.Ravi
- 9.Mr.V.Padmanaban
- 10.Mr.V.Raja
- 11.Mrs.K.Vijayalakshmi
- 12.Mr.K.Suman Kumar
- 13.Mr.K.Parthasarathy
- 14.Mrs.A.Sai Deepika
- 15.Mr.V.Kannan
- 16.Mrs.S.Geetha
- 17.Mr.B.Ajay
- 18.Mrs.G.Varalakshmi
- 19.Mr.G.Sarath Kumar
- 20.Mr.G.Bharathkumar

...Petitioners

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



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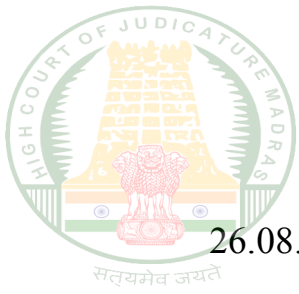
For Petitioners : Mr.B.Namasivayam

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ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 27.05.1974 executed by Mr.R.Subramani and Mrs.Muniammal, who died on 01.01.1981 and 17.10.1988 respectively. The petitioners 1 to 20 are the legal heirs of Late.Mr.Venkatesan, who is the nephew of both the testator and the testatrix.

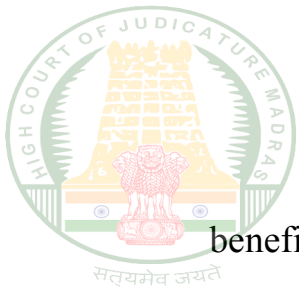
2. The petitioners submit that aforesaid testator Late.Mr.R.Subramani and testatrix Late.Mrs.Muniammal was a married couple, who did not have any issues out of their said wedlock. The petitioners submit that the sister of the testator, Mrs.Subbammal and the brother of the testatrix, Late.Mr.Munusamy had begotten a son named Mr.Venkatesan, who died on 02.08.1991. The aforesaid Late.Mr.Venkatesan was married to one Mrs.V.Thulasi who died on 06.09.2004 and the couple had begotten the following as their children out of the wedlock; Mr.V.Gopal, Mrs.L.Vedhavalli @ Vetha, Mr.V.Kumar, Mr.V.Babu @ Sinibabu and the petitioners 1, 6 to 10 and 15 as his children. The petitioners further submit the following that; (i) the petitioners 2 to 5 are the legal heirs of Late.L.Vedhavalli who died on



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26.08.2003, the afore said daughter of Late.Mr.Venkatesan; **(ii)** the petitioners 11 to 14 are the legal heirs of Late.Mr.V.Kumar who died on 18.10.2011, the aforesaid son of Late.Mr.Venkatesan; **(iii)** the petitioners 16 and 17 are the legal heirs of Late.Mr.V.Sinibabu who died on 28.12.2015, the aforesaid son of Late.Mr.Venkatesan and **(iv)** the petitioners 18 to 20 are the legal petitioners of Late.Mr.V.Gopal who died on 07.05.1990, the aforesaid predeceased son of Late.Mr.Venkatesan.

3. The petitioners assert that the both the testator and the testatrix are the absolute owners of the immovable properties mentioned in the schedule of the petition by the virtue of two Sale Deeds registered as Document No.248 of 1969 and Document No.809 of 1969 in the SRO of Periamet. The petitioners further submit that both the testator and the testatrix together executed a Will dated 27.05.1974 registered as Document No.17 of 1974 in Book No.III in SRO of Purasawalkam. By the virtue of the aforesaid Will the testator and the testatrix together had bequeathed the immovable properties mentioned in the schedule of the petition which are morefully described in the will as Schedule 'A' and Schedule 'B' absolutely infavour of their nephew, Late.Mr.Venkatesan. The aforesaid Late.Mr.Venkatesan who died of 02.08.1991 is the sole



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beneficiary named in the will and the testator and the testatrix had not appointed any executor for the Will dated 27.05.1974. Therefore petitioners 1 to 20 as the legal heirs of aforesaid Late.Mr.Venkatesan, seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

4. The 10th petitioner has examined himself as PW1. He has produced 24 documents to support his deposition which are listed as Ex.P1 to Ex.P24 at the foot of the order. The original registered Will dated 27.05.1974 has been marked as Ex.P1. The computer generated death certificates of the testator and the testatrix has been marked as Ex.P2 and Ex.P3 respectively. The photocopy of the legal heirship certificate of the testator has been marked as Ex.P4. The computer generated death certificate of Late.Mr.Venkatesan and his wife Late.Mrs.V.Thulasi has been marked as Ex.P5 and Ex.P7 respectively. The photocopy of the legal heirship certificate of Late.Mr.Venkatesan has been marked as Ex.P6. The computer generated death certificates of the deceased children of Late.Mr.Venkatesan are marked as follows; the death certificate of Late.Mr.Gopal is marked as Ex.P8, the death certificate of Late.Mrs.L.Vetha is marked as Ex.P10, the death certificate of Late.Mr.V.Kumar is marked as Ex.P14 and death certificate of



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Late.Mr.V.Sinibabu is marked as Ex.P16. The photocopies of the legal heirship certificates of the afore said deceased children of Late.Mr.Venkatesan are marked as follows; **(i)** the computer generated legal heirship certificate of Late.Mr.V.Gopal has been marked as Ex.P9 and the perusal of the same proves that the petitioners 18 to 20 are his legal heirs, **(ii)** the photocopy of the legal heirship certificate of Late.Mrs.L.Vetha has been marked as Ex.P11 and the perusal of the same proves that the petitioners 2 to 5 are her legal heirs, **(iii)** the photocopy of the legal heirship certificate of Late.Mr.V.Kumar has been marked as Ex.P15 and the perusal of the same proves that the petitioners 11 to 14 are his legal heirs and **(iv)** the computer generated legal heirship certificate of Late.Mr.V.Sinibabu has been marked as Ex.P17 and the perusal of the same proves that the petitioners 16 and 17 are his legal heirs. The perusal of Ex.P1 clearly proves that Late.Mr.Venkatesan is the sole beneficiary named in the Will executed by both the testator and the testatrix. The perusal of Ex.P6 along with Ex.P17, Ex.P11, Ex.P9 and Ex.P14 proves that the petitioners 1 to 20 are the legal heirs of Late.Mr.Venkatesan and substantiates the claims made in the petition that they are entitled to the immovable properties bequeathed upon the Late.Mr.Venkatesan vide the registered Will dated 27.05.1974. The general paper publications have been effected and are marked as Ex.P23



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and Ex.P24 for which no objections have been received.

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5. The petitioners have examined one Mr.K.Dinakaran, who is the third party witness as PW2 as allowed in the Application No. 3514 of 2025 vide order dated 29.07.2025. He has deposed that the testator and testatrix are his family friend and one Mr.Arumugam, who is the 2nd attesting witness to the Will dated 27.05.1974 is also his friend. He has identified signatures of the testator and Mr.Arumugam, the 2nd attesting witness to the will in the Ex.P1 and had marked his affidavit as Ex.P25.

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 27.05.1974 of the testator Late.Mr.R.Subramani and the testatrix Late.Mrs.Muniammal. 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



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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.V.Raja

P.W.2 – Mr.K.Dhinakaran

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original registered Will and testamant dated 27.05.1974 executed by Mr.R.Subramani and Mrs.Muniammal.
Ex.P2	Computer generated death certificate fo Mr.R.Subramaniam.
Ex.P3	Computer generated death certificate of Mrs.Muniammal.
Ex.P4	Photocopy of the legalheirship certificate of Mr.R.Subramaniam(Compared with the original)
Ex.P5	Computer generated death certificate of Mr.Venkatesan.
Ex.P6	Photocopy of the legalheirship certificate of Mr.M.Venkatesan.(Compared with the original)
Ex.P7	Computer generated death certificate of Mrs.V.Thulasi.
Ex.P8	Computer generated death certificate of Mr.Gopal.
Ex.P9	Computer generated legalheirship certificate of Mr.Gopal.
Ex.P10	Computer generated death certificate of Mrs.L.Vetha.
Ex.P11	Photocopy of the legalheirship certificate of Mrs.L.Vetha.(Compared with the original)
Ex.P12	Photocopy of the death certificate of Mr.Lakshmipathy(Compared with the original)
Ex.P13	Photocopy of the death certificate of Mrs.Latha.(Compared with the original)



<i>Exhibits</i>	<i>Documents</i>
Ex.P14	Computer generated death certificate of Mr.V.Kumar.
Ex.P15	Photocopy of the legalheirship certificate of Mr.Kumar.(Compared with the original)
Ex.P16	Computer generated death certificate of Mr.V.Sinibabu.
Ex.P17	Computer generated legalheirship certificate of Mr.V.Sinibabu.
Ex.P18	Computer generated certificate extract from the permanent land register standing in the name of Mr.R.Subramanian and Mrs.Muniammal.
Ex.P19	Photocopy of the Aadhar card of the 1 st petitioner.(Compared with the original)
Ex.P20	The Geneology.
Ex.P21	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P22	Affidavit of assets showing the net value of the estate as Rs.75,00,000/-
Ex.P23	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 22.03.2025.
Ex.P24	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 29.03.2025.
Ex.P25	Affidavit of P.W.2.
Ex.P26	Photocopy of Aadhaar Card of P.W.2.(Compared with the original)

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K.KUMARESH BABU,J.

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