



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.03.2025**

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

O.P.No.521 of 2022

1.K.B.Krishna Prasad
2.RaghavendraIyappan
3.T.S.Saai Shree

...Petitioners

vs.

1.K.A.Balanarsimhalu
2.E.M.Usha Rani
3.T.S.Vijayalakshmi

...Respondents

PRAYER: Original Petition filed for Letters of Administration under Section 232 and 276 of the Indian Succession Act XXXIX of 1925 and order XXV Rule 5 of O.S. Rules, prays that Letters of Administration with the Will annexed may be granted to the petitioners as the Legatees of the said deceased having effect throughout the State of Tamilnadu.

For Petitioners : Mr.S.Giridharan
For Respondents : No appearance

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 20.09.2017 executed by late.Mr.P.R.Anantha Padmanabhan, who died on 03.10.2021. The first



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petitioner is the grandson of the testator through his son the first respondent, the second petitioner is the grandson of the testator through his daughter the second respondent and the third petitioner is the granddaughter of the testator through his daughter the third respondent. The testator executed a will dated 20.09.2017 securing the life interest in favour of his son Late.Mr.A.Sudhakar and after his lifetime to the petitioners absolutely. The above said Late.Mr.A.Sudhakar died on 29.04.2021, thereby 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.

2. The first petitioner has examined himself as PW1. He has produced the death certificates of the Testator and Late.Mr.A.Sudhakar the son of the testator as Ex.P3 and Ex.P4. The legal heir certificate of the testator is marked as Ex.P5. The will executed by the testator Late.Mr.P.R.Anantha Padmanabhan is marked as Ex.P1. On perusal of the Ex.P1 it can be deduced that Late.Mr.A.Sudhakar was the life interest beneficiary of the said will after whose lifetime the schedule property devolves to the petitioners. On perusal of the Ex.P5, it clearly exhibits that the Late.Mr.A.Sudhakar predeceased the



testator. Therefore the petitioners are the only beneficiaries under will executed by the testator.

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3. Mr.T.Yogeshwaran, who is the first attesting witness to the said Will has been examined as PW2. He has spoken about the execution of the Will by the testator and its attestation by him and has marked his affidavit as Ex.P11.

4. The consent affidavits of the respondents has been filed along with the original petition and inspite of service on them they have kept themselves away and has not chosen to appear.

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 20.09.2017 of the testator late.Mr.P.R.Anantha Padmanaban. 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

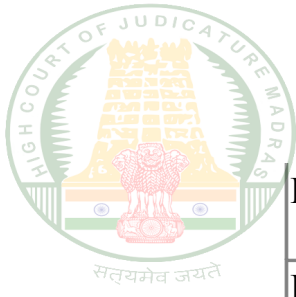
Petitioner's witness:

P.W.1 – Mr.K.B.Krishna Prasad

P.W.2 – Mr.T.Yogeshwaran

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original Will dated 20.09.2017 executed by Mr.P.R.Anantha Padmanabhan.
Ex.P2	Computer generated death certificate of Mrs.K.Seetha Lakshmi.
Ex.P3	Computer generated death certificate of Mr.P.R.Anantha Padmanabhan.
Ex.P4	Computer generated death certificate of Mr.A.Sudhakar.
Ex.P5	Computer generated legal heirship certificate of Mr.P.R.Anantha Padmanabhan.
Ex.P6	Photocopy of sale deed dated 12.03.1965 executed in favour of Mr.P.R.Anantha Padmanabhan (Compared with the original)
Ex.P7	Certificate under Section 65 B of the Indian Evidence Act, 1872.



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Ex.P8	Affidavit of assets showing the net value of the estate as Rs.25,00,000/-
Ex.P9	Copy of paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 13.09.2024.
Ex.P10	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 20.09.2024.
Ex.P11	Affidavit.
Ex.P12	Photocopy of Aadhaar Card (Compared with the original)

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K.KUMARESH BABU, J.

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