



WEB COPY

OP No. 849 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 04-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**OP No. 849 of 2024**

K.V. Narayanan S/o. K.P.Varadharajan

Petitioner(s)

Vs

1. K.V. Seshadri S/o. K.P.Varadharajan
2. P. Chellammal W/o. Parthasarathy
3. G. Rajalakshmi W/o. T.A. Gopal
4. K.V. Balaji S/o. K.P. Varadharajan
5. R. Kannammal (deceased)  
W/o. T.K. Ramanujam
6. R. Malathi W/o. Rangarajan
7. T.P. Sridevi W/o. K.V. Padmanabhan
8. P. Adharsh S/o. K.V. Padmanabhan
9. R. Desigan S/o. T.K. Ramanujam

Respondent(s)

**PRAYER:** This Original Petition has been filed under 232, 255 and 276 of the Indian Succession Act under Order XXV Rule 5 of Original Side Rules praying that the Letters of Administration with the Will annexed may be granted to petitioner / beneficiary under the last Will and Testament of the deceased Mrs.Hemambujam, having effect throughout the State of Tamilnadu.

For Petitioner(s): M/s.G. Surya Narayanan

For Respondent(s): Served – No appearance.  
[for R1 to R8]  
Ms. S. Bhuvaneswari [for R9]



## ORDER

This petition has been filed under Section 232, 255 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 throughout 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 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, PW1 was examined and Ex.P.1 to Ex.P.10 were marked.

3. According to the petitioner, the Testatrix Mrs. K.V Hemambujam is the owner of the property at Old Door NO.111, New No.34, Apparswamy Koil Street, Mylapore, Chennai-600 004 and she had received the said property by way of a Will dated 26.11.1946. The Testatrix had bequeathed a portion of the said property in favour of the petitioner herein through a Will dated 14.02.2001. The said Mrs. K.V. Hemambujam died on 12.08.2009 leaving behind her legal heirs namely 1) R. Kannammal, 2) R. Malathi, 3) K.V. Krishnakumar, 4) K.V. Seshadri, 5) P. Chellammal, 6) K.V. Narayanan /the petitioner herein, 7) K.V. Balaji, 8) G. Rajalakshmi and 9) K. V. Padmanabhan. Among the above legal



heirs, K.V. Krishnakumar died on 08.06.2020 and he settled the property in favour of his sister Mrs. G. Rajalakshmi. Mr. K. V. Padmanabhan died on 07.10.2023 leaving behind his wife and son and they have been impleaded as 7<sup>th</sup> and 8<sup>th</sup> respondents herein. During the pending proceedings, Mrs. R. Kannammal died and her son is brought on record as 9<sup>th</sup> respondent.

3.1. The parents and husband of the Testatrix predeceased her. No executor has been appointed as per the Will dated 14.02.2001. Except the petitioner and the respondents herein, there are no other next of kin or interested persons to be impleaded. The present petition has been filed by the petitioner to grant letters of administration for Will dated 14.02.2001 in respect of his share allotted him under the said Will. The original Will has already been filed in T.O.S. No.12 of 2013 and proved in the manner known to law. The amount of assets which are likely to come to the petitioner's hand does not exceed in the aggregate a sum of Rs.30,81,000/-.

4. The petitioner herein, was examined as PW1 and he has deposed by narrating the petition averments. A perusal of evidences of PW1 and Ex.P.1 to Ex.P.10 revealed that the petitioner and the respondents 1 to 4 and 6 are the legal heirs of the deceased Mrs K.V Hemambujam and the respondents 7 to 9 are the grand children of the said deceased and no any objection has been raised



either by any of the respondents or any other party to grant letter of administration to the petitioner. The respondents 1 to 8 have not appeared before this Court and the 9<sup>th</sup> respondent has filed his consent affidavit to grant letters of administration in favour of the petitioner.

4.1. It is further seen from the records that the legal heirs of the Testatrix Mrs. K.V. Hemambujam namely K.V. Krishnakumar, K.V. Padmanabhan and P. Chellammal had filed an O.P. No.574 of 2010 and the same was later converted to T.O.S. No.12 of 2013 and letters of administration was granted in their favour in respect of their shares vide order of this Court dated 10.03.2016. The petitioner, one of the legal heirs of the Testatrix, has now filed this original petition seeking letter of administration towards his share allotted to him under the same Will dated 14.02.2001 executed by the Testatrix K.V. Hemambujam. As stated supra, already some of the legal heirs had obtained letters of administration in respect of their shares by proving the execution of the Will dated 14.02.2001. This petition is in respect of the share allotted to the petitioner by the Testatrix. 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.K.V. Hemambujam 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 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. K.V. Narayanan

**List of Petitioner side Documents:**

| Exhibit No. | Date       | Description of Documents.                                     |
|-------------|------------|---------------------------------------------------------------|
| Ex.P.1.     | 14.02.2001 | Certified copy of the Will executed by Mrs. K.V. Hemambujam   |
| Ex.P.2      | -          | Computer generated Death Certificate of Mr. K.P. Varadarajan. |



|         |            |                                                                                        |
|---------|------------|----------------------------------------------------------------------------------------|
| Ex.P.3  | -          | Computer generated Death Certificate of Mrs. K.V. Hemambujam.                          |
| Ex.P.4. | -          | Photocopy of Legal Heirship Certificate of Mrs. K.V. Hemambujam.                       |
| Ex.P.5  | 10.03.2016 | Webcopy of the judgment passed by this Court in T.O.S. No.12 of 2013.                  |
| Ex.P.6  | -          | Computer generated Death Certificate of Mr. K.V. Krishnakumar.                         |
| Ex.P.7  | -          | Affidavit filed by the petitioner under Section 63(4) of B.S.A.                        |
| Ex.P.8. | -          | Affidavit of assets showing the net value of the estate as Rs.30,81,400/-              |
| Ex.P.9  | 24.10.2025 | Copy of the paper publication effected in one issue of English Daily "Trinity Mirror". |
| Ex.P.10 | 31.10.2025 | Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural".     |

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