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O.P.No.654 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

Original Petition No.654 of 2024

V.Venkata Subramanian,
S/o.Late M.N.Vedachalam,
No.117/65, Vedachalam Street,
Vasudevan Nagar, Jafferkhanpet,
Ashok Nagar,
Chennai-600 083.

.. Petitioner

Vs

1.M.Meena Kumari,
W/o.R.Murugesan,
D/o.M.N.Vedachalam,
No.148, Athipattu Village and Post,
Ponneri Taluk,
Tiruvallur – PIN 631 210.

2.T.Kalaiselvi,
W/o.Thambirajan,
D/o.M.N.Vedachalam,
No.48, Horavu Main Road,
Bangalore-560 045.

3.E.Muthu Nagai,
W/o.Elangovan,
D/o.M.N.Vedachalam,
No.17, 1st Street,
Perambur, Chennai-600 011.

.. Respondents



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Prayer: This Original Petition filed under Sections 232 and 276 of the Indian Succession Act read with Order XXV, Rule 5 of Original Side Rules praying to grant Letters of Administration to the petitioner as son of/beneficiary under the Will of the deceased having effect through the State of Tamil Nadu.

For Petitioner : Mr.G.Perumal

For Respondents : No appearance

ORDER

This petition has been filed to grant Letters of Administration in favour of the petitioner, who is the son/beneficiary under the Will dated 29.06.1990 of the deceased M.N.Vedachalam having effect throughout the State of Tamil Nadu.

2. According to the petitioner, his father M.N.Vedachalam died on 23.3.1997 at The Best Hospital Private Limited, Chennai-600 024. The respondents are daughters of late M.N.Vedachalam and sisters of the petitioner. During his life time, his father executed a Will dated 29.06.1990 bequeathing the house, ground and premises at Plot No.117/65, Vedachalam Street, Vasudevan Nagar, Jafferkhanpet,



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Ashok Nagar, Chennai, comprised in Survey No.350 (Part), Kodambakkam Village to an extent of 2400 square feet of land with land building in favour of his wife Thulasi Vedachalam and thereafter, to his son Venkata Subramanian, the petitioner herein. As per the said Will, life interest was given to the mother of the petitioner and she died on 13.12.2022. The testator has not appointed anybody as executor of the Will and the petitioner undertakes to duly administer the property and credits of the deceased M.N.Vedachalam in any way concerning his Will by paying first his debts and then the legacies therein bequeathed so far as the assets and to make a full and true inventory thereof and exhibit the same within six months from the date of the grant of Letters of Administration. Therefore, the petitioner has filed the present Original Petition.

3. After filing this petition, the petitioner was directed to effect paper publication and the same was also effected. As there is no any objection from any party, the matter was referred to learned Master for recording evidence.



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4. On the side of the petitioner, P.W.1 and P.W.2 were examined and Exs.P1 to P14 were marked.

5. The petitioner examined himself as P.W.1. He has produced the photocopy of the death certificate of the testator as Ex.P2 and copy of the Will dated 29.06.1990 as Ex.P1. The said testator executed the Will bequeathing the property mentioned in the Will in favour of his wife, namely Thulasi Vedachalam, for her life time and, thereafter, his son, V.Venkata Subramanian, the petitioner herein. The wife of the testator Thulasi Vedachalam died on 13.12.2022 (Ex.P3). On perusal of Ex.P1, it is clear that the property devolves upon the petitioner on the death of his mother in terms of the said Will dated 29.06.1990.

6. The petitioner has examined one Y.Sayaji Rao @ Saiji Rao, who is the first attesting witness to Ex.P1-Will, as P.W.2. He has spoken about the execution of the Will by the testator and its attestation by him.



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7. Therefore, the assertions in the petition have been duly proved by adducing oral evidence supported by documents. There is no rival claim. In these circumstances, the petitioner is entitled to the relief as prayed for in the Original Petition.

8. In view of the above, this Original Petition is allowed and Letters of Administration is granted in favour of the petitioner in respect of the Will dated 29.06.1990 of the testator late M.N.Vedachalam. The petitioner is 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 petitioner is further directed to file an inventory of assets within a period of six months and a statement of accounts within one year.

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Index : Yes/No
Neutral Citation:Yes/No
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Petitioner's side witnesses:

P.W.1 : Thiru V.Venkata Subramanian
P.W.2 : Thiru Y.Sayaji Rao @ Saiji Rao



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Petitioner's side documents:

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<i>Exhibits</i>	<i>Date</i>	<i>Description of documents</i>
Ex.P1	29.06.1990	Original registered Will executed by M.N.Vedachalam.
Ex.P2	06.01.2023	Photocopy of the death certificate of M.N.Vedachalam issued by the Greater Chennai Corporation.
Ex.P3	03.01.2023	Photocopy of the death certificate of Thulasi Vedachalam issued by the Greater Chennai Corporation.
Ex.P4	17.01.2023	Photocopy of Legal Heir Certificate issued by the Tahsildar, Mambalam.
Ex.P5	08.12.2022	Photocopy of Extract from the Permanent Land Register in respect of S.No.350/1A(Part) issued by the Zonal Deputy Tahsildar, Mambalam Taluk.
Ex.P6	-	Photocopy of Tax Demand Card issued in the name of M.N.Vedachalam.
Ex.P7	-	Photocopy of Aadhar Card of the petitioner [compared with the original].
Ex.P8	23.07.1973	Photocopy of the sale deed executed by the Rangarajapuram Co-operative Building Society Limited, Madras-15 in favour of M.N.Vedachalam [compared with the original].
Ex.P9	13.08.2024	Affidavit of the petitioner.
Ex.P10	21.08.2025	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural".



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Exhibits	Date	Description of documents
Ex.P11	13.08.2025	Copy of paper publication effected in one issue of English daily "Trinity Mirror".
Ex.P12	23.09.2025	Affidavit of the petitioner.
Ex.P13	23.09.2025	Affidavit of P.W.2.
Ex.P14	-	Photocopy of Aadhar card of P.W.2 [compared with the original].

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