



WEB COPY

O.P.No.1 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.04.2025**

CORAM

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

O.P.No.1 of 2024

1.B.C.Kalyani

2.Priyadarshini Nandagopal

...Petitioners

vs.

B.Indra

...Respondent

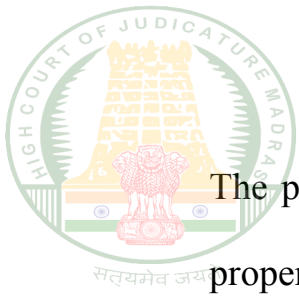
PRAYER: Original Petition filed under Section 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of O.S. Rules, prays that this Hon'ble Court may be pleased to grant them Letters of Administration with the Will annexed, as daughters/beneficiaries under the Will of the deceased having effect throughout the State of Tamil Nadu.

For Petitioners : Mr.P.K.Rajagopal

For Respondent : No appearance

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 31.01.2022 executed by Late.Mr.B.Balaraman, who died on 11.10.2022. The petitioners are the daughters of the testator whereas the respondent is the wife of the testator.



WEB COPY

The petitioner submits that the respondent holds the life interest in the said property mentioned in the will, after whose lifetime the same devolves upon the petitioners absolutely. Therefore the petitioners and the respondent are the 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 herself as PW1. She has produced the certified copy of the registered will and testament dated 31.01.2022 as Ex.P1. The computer generated death certificate of the Testator has been marked as Ex.P2. From the Ex.P1 it can be deduced that the respondent and the petitioners are the beneficiaries named under the said will. The respondent has expressed her consent to grant the letters of administration in favour of the petitioners through the consent affidavit. The paper publications have been made, which are marked as Ex.P6 and Ex.P7 and no objections have been received for the same.

3. The petitioner has examined Mr.E.Thinakaran, who is the second attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him and the first attesting



witness and has marked his affidavit as Ex.P9.

WEB COPY

4. 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.

5. 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 31.01.2022 executed by Late.Mr.B.Balaraman. 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.

03.04.2025

kak

Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.B.C.Kalyani

P.W.2 – Mr.E.Thinakaran



Documents exhibited by the petitioners:

WEB COPY

Exhibits	Documents
Ex.P1	Original registered Will and Testament dated 31.01.2022 executed by Mr.B.Balaraman.
Ex.P2	Computer generated death certificate of Mr.B.Balaraman.
Ex.P3	Photocopy of the sale deed dated 04.05.1976 executed in favour of Mr.B.Balaraman (Compared with the original)
Ex.P4	Downloaded copy of the property tax receipt dated 15.04.2023 standing in the names of Mrs.Balaraman Indhira, Mrs.B.C.Kalyani, and Mrs.Priyadarshini Nandagopal.
Ex.P5	Affidavit of assets showing the net value of the estate as Rs.75,00,000/-
Ex.P6	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 27.06.2024.
Ex.P7	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 05.07.2024.
Ex.P8	Affidavit under Section 65 B of the Indian Evidence Act, 1872.
Ex.P9	Affidavit.
Ex.P10	Photocopy of Aadhaar Card (Compared with the attested copy filed along with Will. This document is marked subject to proof)

03.04.2025

kak

K.KUMARESH BABU, J.



WEB COPY

O.P.No.1 of



kak

O.P.No.1 of 2024

03.04.2025